

CITY COUNCIL AGENDA  
NORMAN UTILITIES AUTHORITY AGENDA  
NORMAN MUNICIPAL AUTHORITY AGENDA  
NORMAN TAX INCREMENT FINANCE AUTHORITY AGENDA

Municipal Building Council Chambers  
201 West Gray

December 8, 2009  
6:30 p.m.

1. Roll Call
2. Pledge of Allegiance
3. PRESENTATION OF THE "GO GREEN RAP" BY STUDENTS FROM TRUMAN ELEMENTARY SCHOOL.
4. ITEM: CONSENT DOCKET

INFORMATION: This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 5 through Item 15 be placed on the consent docket.

ACTION NEEDED:      1. Motion to place Item \_\_\_\_ through Item \_\_\_\_ on the Consent Docket by unanimous vote.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED:      2. Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or acknowledge all items on the Consent Docket subject to any conditions included in the individual action needed by item.

ACTION TAKEN: \_\_\_\_\_

5. ITEM: APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF NOVEMBER 12, 2009  
CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT MINUTES OF NOVEMBER 13, 2009  
CITY COUNCIL STUDY SESSION MINUTES OF NOVEMBER 17, 2009  
CITY COUNCIL BUDGET RETREAT MINUTES OF NOVEMBER 17, 2009  
CITY COUNCIL MINUTES OF NOVEMBER 24, 2009  
CITY COUNCIL CONFERENCE MINUTES OF NOVEMBER 24, 2009  
NORMAN UTILITIES AUTHORITY MINUTES OF NOVEMBER 24, 2009  
NORMAN MUNICIPAL AUTHORITY MINUTES OF NOVEMBER 24, 2009  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF NOVEMBER 24, 2009

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve the minutes; and, if approved, direct the filing thereof.

ACTION TAKEN: \_\_\_\_\_

6. ITEM: CONSIDERATION OF THE FOLLOWING ORDINANCES UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0910-10: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PUBLIC UTILITY EASEMENT STRADDLING THE COMMON BOUNDARY BETWEEN LOT 1 AND LOT 2, BLOCK 10, PARK HILL ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED AT 3444 AND 3448 GRANT ROAD)

ORDINANCE NO. O-0910-12: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 429.3 OF CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO DEFINE THE VISIBILITY OF CHANGES TO HISTORIC STRUCTURES; TO MODIFY THE MAKEUP OF THE HISTORIC DISTRICT COMMISSION; ADDING DEFINITIONS THERETO; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ORDINANCE NO. O-0910-16: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, STATE OF OKLAHOMA (THE "CITY"), ON THE 2ND DAY OF MARCH, 2010, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF SAID CITY, THE QUESTION OF THE ISSUANCE OF THE BONDS OF SAID CITY IN AN AMOUNT NOT TO EXCEED THE SUM OF TWENTY ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$21,250,000) TO BE ISSUED IN SERIES TO PROVIDE FUNDS FOR THE PURPOSES OF (I) RECONSTRUCTING, REPAIRING, IMPROVING, AND REHABILITATING EXISTING STREETS, ROADS, AND INTERSECTIONS IN THE CITY (INCLUDING LIGHTING, SIDEWALKS/BIKE PATHS, LANDSCAPING, RELATED DRAINAGE IMPROVEMENTS, DRIVEWAY RECONSTRUCTION, AND OTHER RELATED IMPROVEMENTS), AND (II) IMPROVING THE CITY OUTDOOR SIREN WARNING SYSTEM BY ACQUIRING NEW WARNING SIRENS AND CONTROL STATION HARDWARE AND SOFTWARE, BY ACQUIRING LAND FOR WARNING SIRENS, AND BY MODIFYING AND RELOCATING CERTAIN OF THE EXISTING WARNING SIRENS, ALL TO BE OWNED EXCLUSIVELY BY THE CITY; AND LEVYING AND COLLECTING AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL ON SAID BONDS.

ORDINANCE NO. O-0910-18: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 4-1901 AND SECTION 4-1902 OF CHAPTER 4 OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR HISTORIC DISTRICT COMMISSION MEMBER APPOINTMENTS AND PROVIDING FOR DUTIES OF COMMISSION MEMBERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

INFORMATION: The above-described ordinances are submitted for Introduction and adoption upon First Reading by title, and subsequent thereto, for submission for City Council's final consideration in its meeting of December 22, 2009. Copies of advisory memoranda; ordinances; location maps; petition; abstractor's certificate; Staff Reports; Changes to Norman Historic Preservation Handbook; Special Election Proclamation and Notice of Election; and pertinent excerpts of Planning Commission, City Council Planning Committee, City Council Conference, City Council Transportation, and City Council Study Session minutes are included in the Agenda Book.

ACTION NEEDED: Motion to Introduce and adopt the ordinances upon First Reading by title.

ACTION TAKEN: \_\_\_\_\_



7. ITEM: CONSIDERATION OF ACCEPTANCE OF THE FOLLOWING DONATED EASEMENT IN CONNECTION WITH THE WELL FIELD DEVELOPMENT PROJECT, PHASE I:

<u>EASEMENT NO.</u>	<u>GRANTOR</u>	<u>EASEMENT</u>
E-0910-28	JAMES AND PATRICIA A. IMHOFF	PERMANENT PUBLIC UTILITY

INFORMATION: The Norman Utilities Authority, in its meeting of March 31, 2009, approved Contract No. K-0809-56 in the amount of \$568,260 for the Well House and Water Line Construction in connection with the Well Field Development Project, Phase I. The project will be complete after Water Well No. 45 has been connected to the distribution system. The above-described easement has been donated to complete the project. The Assistant City Attorney has examined the easement and found it to be in order and proper as to form. Based upon the fact the easement has been dedicated to the City of Norman for water line improvements in the above-mentioned project, Staff recommends acceptance of the easement. Copies of an advisory memorandum, easement, and location maps are included in the Agenda Book.

ACTION NEEDED: Motion to accept or reject the easement; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: \_\_\_\_\_

8. ITEM: SPECIAL CLAIM NO. 0910-3: A CLAIM IN THE AMOUNT OF \$2,993.79 SUBMITTED BY FELICITY MORSE FOR DAMAGES TO HER VEHICLE DUE TO AN ACCIDENT WITH A CITY OF NORMAN STREET SWEEPER AT THE INTERSECTION OF PORTER AVENUE AND ACRES STREET.

INFORMATION: The above-described special claim has been examined by the City Attorney and found to be in order and proper as to form. Staff recommends approval. Copies of an advisory memorandum, claim, Staff memorandum, and support material are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject Special Claim No. 0910-3; and, if approved, direct payment in the amount of \$2,993.79 contingent upon obtaining a release and Covenant Not to Sue from Felicity Morse.

ACTION TAKEN: \_\_\_\_\_

9. ITEM: CHANGE ORDER NO. ONE TO CONTRACT NO. K-0910-25: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL CONTRACTING SERVICES, INC., INCREASING THE CONTRACT AMOUNT BY \$103,896 TO INCLUDE THE RELOCATION OF A SEWER LINE AT THE REQUEST OF THE UTILITIES DEPARTMENT, WHICH IS CURRENTLY LOCATED UNDER ROBINSON STREET AS PART OF THE CONTRACT FOR THE ROBINSON STREET GRADE SEPARATION WATER/SEWER LINE RELOCATION PROJECT AND BUDGET TRANSFER.

INFORMATION: City Council, in its meeting of July 14, 2009, approved Contract No. K-0910-25 with Central Contracting Services, Inc., in the amount of \$486,095 for the above described project. The Utilities Department has requested that a project be added to the scope of services. Change Order No. One increasing the contract amount by \$103,896 will add the relocation of a 10-inch sewer line located east of Fay Avenue extending under Robinson Street at a relatively shallow depth. The sewer line will be extended further east along the north side of Robinson Street and connect at Peters Avenue at a steeper slope and the existing 10-inch sewer line will be abandoned. Change Order No. One has been examined by the Assistant City Attorney and found to be in order and proper as to form. Staff recommends approval of the change order. Copies of an advisory memorandum, location map, change order, and purchase requisition are included in the Agenda Book.

ACTION NEEDED: Acting as the City Council and the Norman Utilities Authority, motion to approve or reject Change Order No. One to Contract No. K-0910-25 with Central Contracting Services, Inc., increasing the contract amount by \$103,896; and, if approved, authorize the execution thereof and transfer \$103,896 from Project No. WW0055, Sewer Maintenance Plan FYE 10, Design (321-9338-432.62-01) to Project No. WW0203, Robinson Underpass Sewer, Construction (321-9065-432.61-01).

ACTION TAKEN: \_\_\_\_\_

10. ITEM: CONTRACT NO. K-0910-116: AN INTERLOCAL COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CITY OF OKLAHOMA CITY, OKLAHOMA, FOR CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS OF THE INTERSECTION OF 60TH AVENUE N.W. AND INDIAN HILLS ROAD (SOUTH WESTERN AVENUE AND SOUTHWEST 179TH STREET IN OKLAHOMA CITY) IN CONNECTION WITH THE TECUMSEH ROAD WIDENING PROJECT, PHASE II.

INFORMATION: The above-described contract has been examined by the Assistant City Attorney and found to be in order and proper as to form. Staff recommends approval of the contract. Copies of an advisory memorandum, location map, and contract are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject Contract No. K-0910-116 with the City of Oklahoma City; and, if approved, authorize the execution of the contract.

ACTION TAKEN: \_\_\_\_\_

11. ITEM: CONTRACT NO. K-0910-117: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR STATE-AID PROJECT NO. STP-114B(142)AG, STATE JOB NO. 22140(04) FOR THE LINDSEY STREET WIDENING PROJECT BETWEEN LINCOLN AVENUE AND THE BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS, ADOPTION OF RESOLUTION NO. R-0910-74 AND BUDGET REAPPROPRIATION.

INFORMATION: The above-described contract has been examined by the City Attorney and found to be in order and proper as to form. Staff recommends approval of the contract and adoption of the resolution. Copies of an advisory memorandum, contract, and resolution are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject Contract No. K-0910-117 with the Oklahoma Department of Transportation; and, if approved, adopt Resolution No. R-0910-74 and authorize the execution of the contract and resolution.

ACTION TAKEN: \_\_\_\_\_

12. ITEM: CONTRACT NO. K-0910-120: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND REPUBLIC BANK TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REHABILITATION PROGRAM FOR PROPERTY LOCATED AT 728 GRICKLE DRIVE.

INFORMATION: The above-described contract (subordination agreement) is being requested by Republic Bank in conjunction with a loan secured by the owner of property located at 728 Grickle Drive who had previously received CDBG rehabilitation funding. The contract has been examined by the Assistant City Attorney and found to be in order and proper as to form. Staff recommends approval of the contract. Copies of an advisory memorandum and contract are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject Contract No. K-0910-120 with Republic Bank; and, if approved, authorize the execution of the contract.

ACTION TAKEN: \_\_\_\_\_

13. ITEM: CONTRACT NO. K-0910-122: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, INC., IN THE AMOUNT OF \$28,229 TO PROVIDE A LEADERSHIP IN POLICE ORGANIZATIONS TRAINING PROGRAM TO POLICE DEPARTMENT SUPERVISORS.

INFORMATION: The above-described contract has been examined by the City Attorney and found to be in order and proper as to form. Staff recommends approval of the contract. Copies of an advisory memorandum, contract, and purchase requisition are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject Contract No. K-0910-122 with International Association of Chiefs of Police, Inc., in the amount of \$28,229; and, if approved, authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_

14. ITEM: RESOLUTION NO. R-0910-76: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, IN CONJUNCTION WITH THE NORMAN HUMAN RIGHTS COMMISSION, AWARDING THE 2009 CITY OF NORMAN HUMAN RIGHTS AWARD.

INFORMATION: The above-described resolution has been drawn and is submitted for City Council's consideration. Copies of the resolution, letter of nomination, and pertinent excerpts from Human Rights Commission minutes are included in the Agenda Book.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-0910-76.

ACTION TAKEN: \_\_\_\_\_

15. ITEM: PROCLAMATION NO. P-0910-11: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING DECEMBER 7 THROUGH 13, 2009, AS HUMAN RIGHTS WEEK IN THE CITY OF NORMAN.

INFORMATION: The Human Rights Commission has requested a proclamation proclaiming December 7 through 13, 2009, as Human Rights Week in the City of Norman. The above-described proclamation has been drawn and is submitted for City Council's consideration. A copy of the proclamation is included in the Agenda Book.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-0910-11 proclaiming December 7 through 13, 2009, as Human Rights Week in the City of Norman and direct the filing thereof.

ACTION TAKEN: \_\_\_\_\_

16. ITEM: PUBLIC HEARING REGARDING A GRANT IN THE AMOUNT OF \$150,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE (DOJ) THROUGH THE FY09 COMMUNITY ORIENTED POLICING SERVICES (COPS) LAW ENFORCEMENT TECHNOLOGY PROGRAM TO BE USED BY THE POLICE DEPARTMENT TO UPGRADE THE EMERGENCY COMMUNICATIONS CENTER COMPUTER AID DISPATCH (CAD) SYSTEM AND BUDGET APPROPRIATION.

INFORMATION: The Norman Police Department applied for a grant from the DOJ through the COPS Program. The COPS Program requires the funds be used to upgrade the Emergency Communication Center CAD System. The grant requires a public hearing be held prior to the disbursement of funds and matching funds are not required. Section 8-111 of the City Code states that all donations valued above \$250 to be received by the City of Norman, whether in the form of monies or any other thing of value, shall be required to be accepted by the Council of the City of Norman prior to any use or disbursement of such monies or thing of value by or to any City operation or cause. Copies of an advisory memorandum, letter of acceptance, and memorandum of clearance are included in the Agenda Book.

Item 16, continued:

ACTION NEEDED: 1. Motion to conduct a public hearing.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: 2. Motion to close the public hearing.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: 3. Motion to accept or reject a grant in the amount of \$150,000 from DOJ through the COPS Program to be used by the Police Department; and, if accepted, increase Other Revenue/COPS Grant (022-0000-331.13-14) by \$150,000; appropriate \$125,000 into Telecommunications Equipment/Software (022-6039-421.53-04) and \$25,000 to Telecommunications Equipment/Computer Hardware (022-6039-421.53-01); reappropriate \$199,000 from the Emergency Communications Fund Balance (024-0000-253.20-00) to Telecommunications Equipment/Computer Software (024-6039-421.53-04), \$184,000, and Professional Services/City Business Travel (024-6039-421.46-05) \$15,000.

ACTION TAKEN: \_\_\_\_\_

17. ITEM: ORDINANCE NO. O-0910-11: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ORDINANCE NO. O-0001-13, THE NRH MEDICAL PARK WEST PLANNED UNIT DEVELOPMENT, TO AMEND PUD NARRATIVE AND DESIGN GUIDELINES FOR A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION FOURTEEN, TOWNSHIP NINE NORTH, RANGE THREE WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTH OF TECUMSEH ROAD BETWEEN 36TH AVENUE N.W. AND I-35 SERVICE ROAD)

INFORMATION: Planning Commission, in its meeting of November 12, 2009, held a public hearing and received no filed protest regarding the following item:

NRH MEDICAL PARK WEST, L.L.C: Requests amendment to the Planned Unit Development approved by Ordinance No. O-0001-13 by amending the PUD Narrative and Design Guidelines for property generally located south of Tecumseh Road between 36th Avenue N.W. and I-35 Service Road containing 94 acres, more or less.

Planning Commission, by a vote of 9-0, recommends approval of the requested amendment; and City Council, in its meeting of November 24, 2009, Introduced and adopted Ordinance No. O-0910-11 upon First Reading by title. Copies of an advisory memorandum; ordinance; site plan; location map; development plan; design guidelines with list of changes to original document; Staff Report recommending approval; and pertinent excerpts from Planning Commission minutes are included in the Agenda Book.

Item 17, continued:

ACTION NEEDED:      1.    Motion to adopt or reject Ordinance No. O-0910-11 upon Second Reading section by section.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED:      2.    Motion to adopt or reject Ordinance No. O-0910-11 upon Final Reading as a whole.

ACTION TAKEN: \_\_\_\_\_

18.    Miscellaneous Discussion: This is an opportunity for citizens to address City Council. Remarks should be directed to the Council as a whole and limited up to five minutes or less.

19.    Adjournment.

6. ITEM: CONSIDERATION OF THE FOLLOWING ORDINANCES UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0910-10: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PUBLIC UTILITY EASEMENT STRADDLING THE COMMON BOUNDARY BETWEEN LOT 1 AND LOT 2, BLOCK 10, PARK HILL ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED AT 3444 AND 3448 GRANT ROAD)

ORDINANCE NO. O-0910-12: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 429.3 OF CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO DEFINE THE VISIBILITY OF CHANGES TO HISTORIC STRUCTURES; TO MODIFY THE MAKEUP OF THE HISTORIC DISTRICT COMMISSION; ADDING DEFINITIONS THERETO; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ORDINANCE NO. O-0910-16: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, STATE OF OKLAHOMA (THE "CITY"), ON THE 2ND DAY OF MARCH, 2010, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF SAID CITY, THE QUESTION OF THE ISSUANCE OF THE BONDS OF SAID CITY IN AN AMOUNT NOT TO EXCEED THE SUM OF TWENTY ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$21,250,000) TO BE ISSUED IN SERIES TO PROVIDE FUNDS FOR THE PURPOSES OF (I) RECONSTRUCTING, REPAIRING, IMPROVING, AND REHABILITATING EXISTING STREETS, ROADS, AND INTERSECTIONS IN THE CITY (INCLUDING LIGHTING, SIDEWALKS/BIKE PATHS, LANDSCAPING, RELATED DRAINAGE IMPROVEMENTS, DRIVEWAY RECONSTRUCTION, AND OTHER RELATED IMPROVEMENTS), AND (II) IMPROVING THE CITY OUTDOOR SIREN WARNING SYSTEM BY ACQUIRING NEW WARNING SIRENS AND CONTROL STATION HARDWARE AND SOFTWARE, BY ACQUIRING LAND FOR WARNING SIRENS, AND BY MODIFYING AND RELOCATING CERTAIN OF THE EXISTING WARNING SIRENS, ALL TO BE OWNED EXCLUSIVELY BY THE CITY; AND LEVYING AND COLLECTING AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL ON SAID BONDS.

ORDINANCE NO. O-0910-18: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 4-1901 AND SECTION 4-1902 OF CHAPTER 4 OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR HISTORIC DISTRICT COMMISSION MEMBER APPOINTMENTS AND PROVIDING FOR DUTIES OF COMMISSION MEMBERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

INFORMATION: The above-described ordinances are submitted for Introduction and adoption upon First Reading by title, and subsequent thereto, for submission for City Council's final consideration in its meeting of December 22, 2009. Copies of advisory memoranda; ordinances; location maps; petition; abstractor's certificate; Staff Reports; Changes to Norman Historic Preservation Handbook; Special Election Proclamation and Notice of Election; and pertinent excerpts of Planning Commission, City Council Planning Committee, City Council Conference, and City Council Transportation Committee minutes are included in the Agenda Book.

ACTION NEEDED: Motion to Introduce and adopt the ordinances upon First Reading by title.


ACTION TAKEN: \_\_\_\_\_



# office memorandum

**DATE:** November 24, 2009

**TO:** Honorable Mayor and Councilmembers

**FROM:** Doug Koscinski, AICP   
Manager, Current Planning Division




**SUBJECT:** Agenda Item:  
Ordinance No. O-0910-10 – Ideal Homes of Norman, L.P., requests closure of a fifteen foot platted utility easement between Lot 1 and Lot 2, both in Block 10, PARK HILL ADDITION.

**BACKGROUND.** The applicant is the owner and developer of this subdivision, and has submitted an application to construct a new home on one of the lots. While preparing that application, the surveyor discovered that the utility easement needed to be adjusted to account for the alignment of the sewer, which would also affect the layout of the home that did not precisely fit onto the lot. The applicant submitted a Lot Line Adjustment to move the boundary line which separates both lots, but such adjustments do not alter any platted utility easements. While the Lot Line Adjustment can be administratively approved, action to close the platted utility easement requires that an ordinance closing the easement be adopted by City Council, which must then be vacated in District Court.

**DISCUSSION.** All franchised utility companies were contacted as part of the notification for this request. A newly described easement has already been submitted which will accommodate the existing sewer line. The new easement also covers an existing electric line, which will not need to be relocated. A companion item accepting the new easement will be submitted by the Public Works Department. No other conflicts were identified, and no objections were filed to this closure request.

**STAFF RECOMMENDATION:** The attached documents include the location map, staff report, and original plat for the subject lots showing the utility easement. The item comes with a unanimous recommendation for approval from the Planning Commission. Staff recommends approval of Ordinance O-0910-10.

DK/rmt

Reviewed by: Susan Connors, Director of Planning & Community Development   
Jeff Bryant, City Attorney   
Steve Lewis, City Manager 

Attachments: Ordinance No. O-0910-10  
Location Map  
Staff Report  
Plat  
Planning Commission Minutes



O-0910-10

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PUBLIC UTILITY EASEMENT STRADDLING THE COMMON BOUNDARY BETWEEN LOT 1 AND LOT 2, BLOCK 10, PARK HILL ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED AT 3444 AND 3448 GRANT ROAD)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 1. That, pursuant to Resolution Number R-8182-66, Ideal Homes of Norman, L.P., owner of the subject property, has petitioned the City to have the public utility easement straddling the common boundary between Lot 1 and Lot 2, Block 10, PARK HILL ADDITION closed; and,
- § 2. That, also pursuant to Resolution Number R-8182-66, the proper notice has been given, and the maps, memorandums and other items required by said Resolution have been presented to this Council; and
- § 3. That, also pursuant to Resolution Number R-8182-66, a public hearing has been held regarding said closing; and
- § 4. That, the public utility easement straddling the common boundary between Lot 1 and Lot 2, Block 10, PARK HILL ADDITION, herein after described, to wit:

The fifteen foot (15') platted utility easement straddling the common boundary between Lot 1 and Lot 2, both in Block 10, PARK HILL ADDITION TO NORMAN according to the Plat filed in Book 21 Plats, Pages 137-139, Cleveland County Clerk's office which runs for a distance of 173.07' along said common boundary.

is hereby closed.

§ 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

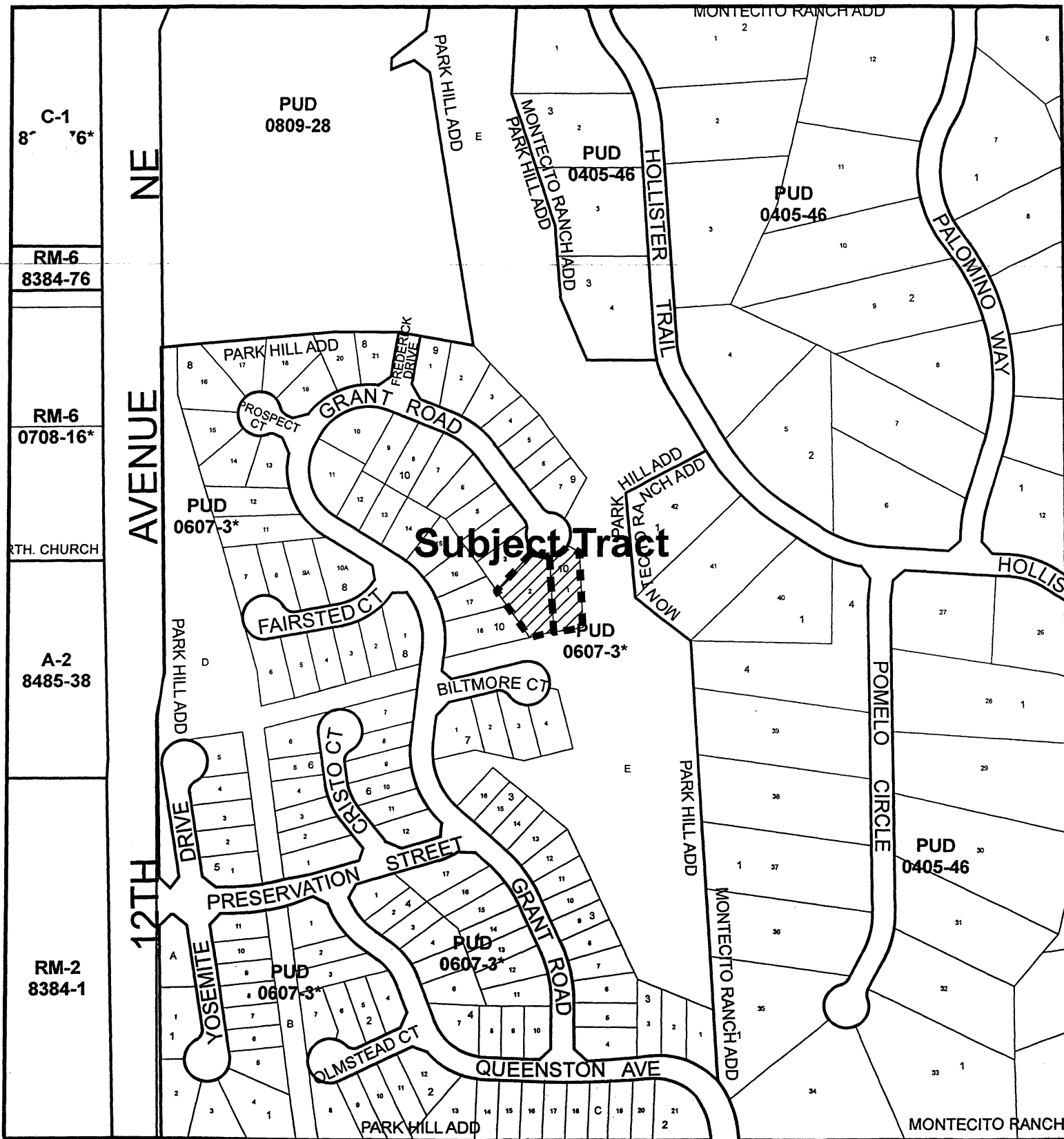
\_\_\_\_\_  
(Mayor)

ATTEST:

\_\_\_\_\_  
(City Clerk)

NOT ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
(Mayor)



## PROPOSED UTILITY EASEMENT CLOSURE - ORDINANCE NO. O-0910-10

APPLICANT: Ideal Homes of Norman, L.P.  
 REQUEST: Closure of a 15' platted utility easement between Lot 1 and Lot 2, both in Block 10, PARK HILL ADDITION.

To: City of Norman, c/o City Clerk Brenda Hall  
Norman City Hall, Norman, OK (hand-delivered)

Re: **Petition to close a part of a utility easement in PARK HILL ADDITION  
(3444/3448 Grant Road, Norman, OK)**

Date: October 6, 2009

1. The undersigned Applicant, **Ideal Homes of Norman, LP** is the beneficial owner of all the land on one side of the portion of the utility easement, described below, which is proposed for closing.

2. It is in the best interest of both the undersigned and the City of Norman to release, close, and subsequently vacate, and foreclose the right to reopen in District Court the following-described portion of an interior utility easement in Park Hill Addition to Norman:

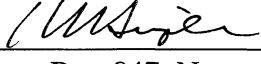
The fifteen foot (15') platted utility easement straddling the common boundary between **Lot 1 and Lot 2, both in Block 10, PARK HILL ADDITION TO NORMAN** according to the Plat filed in Book 21 Plats, Pages 137-139, Cleveland County Clerk's office which runs for a distance of 173.07' along said common boundary, shown cross-hatched on the attached "Exhibit A" map and hereinafter referred to as "**the Subject Property**".

3. If there are utility lines or facilities in, on under or over any part(s) of Subject Property, Applicant will cause same to be respected and protected, as required by law.

4. An ownership list certified by a bonded abstractor, reflecting all owners of record, according to County Treasurer records, of property within 300 feet in any direction of the above-described Subject Property is submitted herewith. A map which is attached to said ownership list shows the location of the ownership lines for each owner of record whose name appears on the ownership list. Enclosed is our firm check for the required filing fee of \$400.

5. Action by the Board of County Commissioners of Cleveland County is not necessary. The undersigned will pay the cost of newspaper publication of the required Notice.

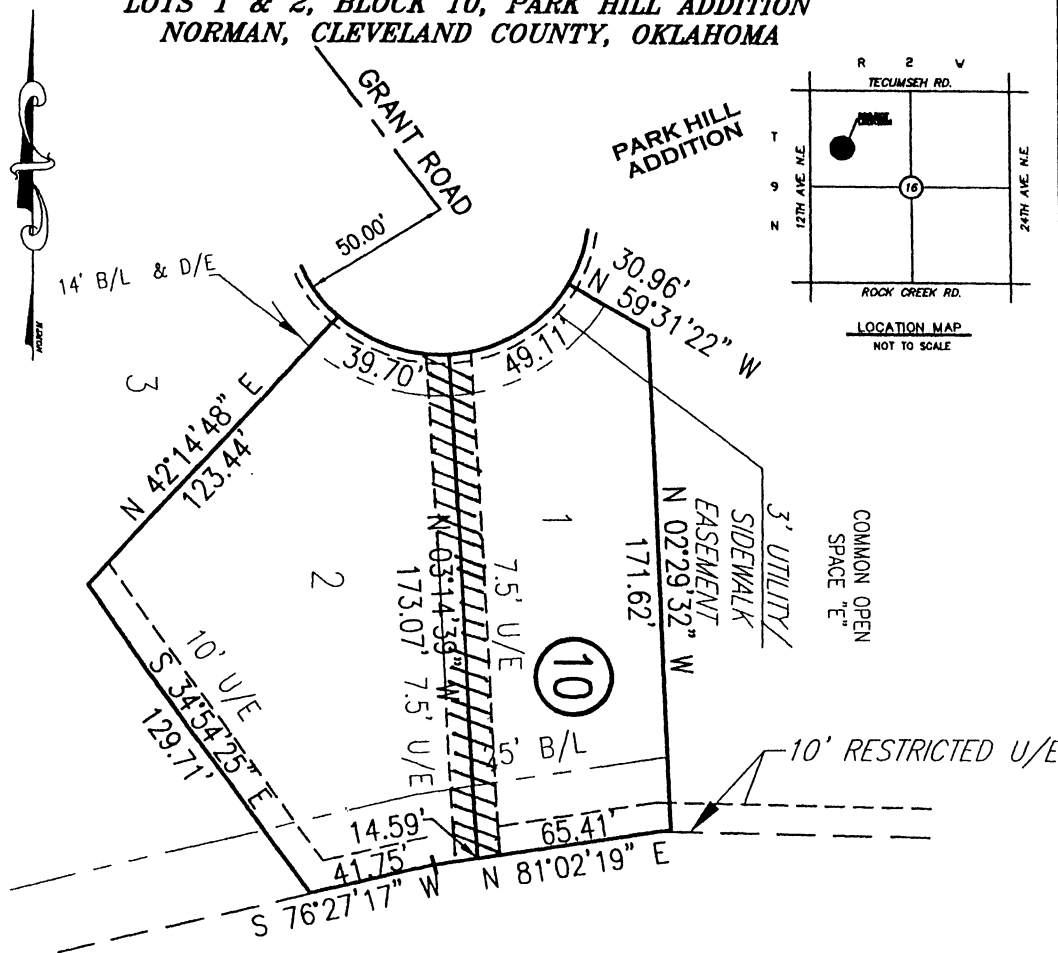
Wherefore, pursuant to Resolution 8182-66, as amended, of the City of Norman, the undersigned Applicant requests official closing of the above-described Subject Property, by enactment of an ordinance by the City Council of the City of Norman.

**IDEAL HOMES OF NORMAN, LP, Applicant** , by:   
H. L. Heiple, Attorney-Agent, Heiple Law Offices, Inc. Box 847, Norman, OK 73070  
Telephone (405) 321-0090 FAX 321-9763

cc: Ken Danner, CON Public Works  
Rone' Tromble, CON Planning Dept.  
Client

# ORIGINAL PLATTING

LOTS 1 & 2, BLOCK 10, PARK HILL ADDITION  
NORMAN, CLEVELAND COUNTY, OKLAHOMA



## BASIS OF BEARING NOTE:

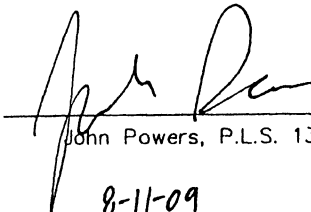
Park Hill Addition Final Plat was used as the basis of bearing for the purpose of this survey.

## LEGAL DESCRIPTION:

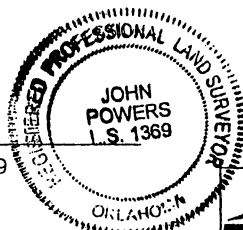
### ORIGINAL PLATTING

A tract of land being a part of the Northwest Quarter (NW/4) of Section 16, Township 9 North, Range 2 West of the Indian Meridian, being a part of PARK HILL ADDITION to Norman, Cleveland County, Oklahoma, being more particularly described as follows:

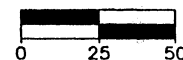
All of Lots 1 and 2, Block 10, PARK HILL ADDITION to Norman, Cleveland County, Oklahoma.

  
John Powers, P.L.S. 1369  
8-11-09

Date of Signature



SCALE : 1" = 50'



CERTIFICATE OF AUTHORIZATION NO. 3948 EXPIRES JUNE 30, 2011  
SHEET 1 OF 3

**CERTIFICATE OF BONDED ABTRACTOR**  
**(300 FEET RADIUS REPORT)**

STATE OF OKLAHOMA                     )  
  ) §:  
COUNTY OF CLEVELAND                )

The undersigned bonded abstractor in and for Cleveland County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Cleveland County, Oklahoma, as updated by the records of the County Clerk of Cleveland County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

Lots One (1) and Two (2), in Block Ten (10), of PARK HILL ADDITION, A Planned Unit Development, to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (3 ), both inclusive.

*NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.*

Dated: September 10, 2009 at 7:30 AM

**First American Title & Trust Company**

By: \_\_\_\_\_

Scott Rountree

Abstractor License No. 4021

S.A.&I. Certificate of Authority No. 52

File No. 1386457-MO99

ORDINANCE NO. O-0910-10

ITEM NO. 6

---

## **STAFF REPORT**

**GENERAL INFORMATION.** Ideal Homes of Norman, L.P. requests closure of a 15' platted utility easement between Lot 1 and Lot 2, Block 10, PARK HILL ADDITION.

**BACKGROUND.** The applicant is the owner and developer of this subdivision, and has submitted an application to construct a new home on one of the lots. While preparing that application, the surveyor discovered that the utility easement needed to be adjusted to account for the alignment of the sewer, which would also affect the layout of the home that did not precisely fit onto the lot. The Lot Line Adjustment is approvable as submitted, but such adjustments do not alter any platted utility easements, which require a formal process to close and vacate such instruments.

**DISCUSSION.** All franchised utility companies were contacted as part of the notification for this request. A newly described easement has already been submitted which will accommodate the existing sewer line. The new easement also covers an existing electric line, which will not need to be relocated. No other conflicts were identified, and no objections were filed to this closure request.

**RECOMMENDATION.** Staff is able to support this request, as the only conflict is with a sewer line, which has already been relocated. Staff recommends approval of this request for closure of the utility easement.

# **NORMAN PLANNING COMMISSION REGULAR SESSION MINUTES**

**NOVEMBER 12, 2009**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12<sup>th</sup> day of November, 2009. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m. He introduced Diana Hartley, who was recently appointed to the Planning Commission to take the place of Ed Adwon.

Item No. 1, being:  
**ROLL CALL.**

## **MEMBERS PRESENT**

Jim Gasaway  
Diana Hartley  
Tom Knotts  
Chris Lewis  
Curtis McCarty  
Paul Minnis  
Roberta Pailes  
Andy Sherrer  
Zev Trachtenberg

## **MEMBERS ABSENT**

None

A quorum was present.

## **STAFF MEMBERS PRESENT**

Susan Connors, Director, Planning &  
Community Development  
Doug Koscinski, Manager, Current  
Planning Division  
Ken Danner, Development Coordinator  
Roné Tromble, Recording Secretary  
Leah Bunney, Asst. City Attorney  
Larry Knapp, GIS Analyst  
Jane Hudson, Planner II  
Susan Atkinson, Planner I

\* \* \*



Item No. 6, being:

**ORDINANCE NO. O-0910-10 – IDEAL HOMES OF NORMAN, L.P., REQUESTS CLOSURE OF A FIFTEEN FOOT PLATTED UTILITY EASEMENT BETWEEN LOT 1 AND LOT 2, BOTH IN BLOCK 10, PARK HILL ADDITION.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Plat

**PRESENTATION BY THE APPLICANT:**

1. Harold Heiple, representing the applicant, 218 East Eufaula – This is an application to close and relocate a utility easement which exists only between two lots out in Park Hill Addition. The application has absolutely no impact or effect on any other property. The easement in question straddles the common property line between these two lots. A house has already been built on the eastern lot. The lot on the west is undeveloped and ready to build, and they realized that they need to relocate the lot line. In doing that, it becomes necessary for the City to close the utility easement, and then subsequently go to District Court and vacate it. The City has already approved, and a replacement sewer line has already been installed. The replacement location for the easement has been provided to staff. This is a relatively minor adjustment and has no impact on any other property. There have been no protests and staff recommends approval.

Chairman Gasaway asked if there were any questions for Mr. Heiple. There being none, he asked if anyone in the audience wished to speak on this item. There being none, he turned the discussion to the Planning Commission.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Paul Minnis moved to recommend adoption of Ordinance No. O-0910-10 to the City Council. Zev Trachtenberg seconded the motion.*

YEAS	Jim Gasaway, Diana Hartley, Tom Knotts, Chris Lewis, Curtis McCarty, Paul Minnis, Roberta Pailes, Andy Sherrer, Zev Trachtenberg
NAYES	None
MEMBERS ABSENT	None

Recording Secretary Roné Tromble announced that the motion to recommend adoption of Ordinance No. O-0910-10 to the City Council was adopted by a vote of 9-0.


\* \* \*



# office memorandum

DATE: December 1, 2009

TO: Honorable Mayor and Members of the City Council

FROM: Susan Owen Atkinson, Historic Preservation Officer 

SUBJECT: Consideration Of Ordinance O-0910-12, revisions to Chapter 22:429.3 Historic District of the Zoning Ordinance and consideration of Ordinance O-0910-18, revisions to Section 4-1901 and Section 4-1902 of Chapter 4 of the Code of the City of Norman

## Background

For several months staff has worked with the Historic District Commission (HDC) and the City Council Planning & Community Development Committee (PCDC) to amend Chapter 22:429.3 Historic District of the Zoning Ordinance and to make amendments to the Historic Preservation Guidelines section of the *Historic Preservation Handbook*.

Amendments to Chapter 22:429.3 HD of the Zoning Ordinance include the addition of terms, and a revision of the requirements for Historic District Commission make-up. Changes to the Historic Preservation Guidelines include the addition of a guideline allowing the limited use of chain link fencing in historic districts, the addition of a descriptive diagram defining front, side, and rear yards, and a repetition of definitions added to the Zoning Ordinance.

In order to revise the makeup of the Historic District Commission, it is also necessary to revise Sections 4-1901 and 4-1902 of Chapter 4 of the Code of Ordinances in order to make those criteria mirror each other.

Staff presented these proposed amendments at a City Council Conference on October 27 and on November 12 the Planning Commission voted unanimously to recommend approval of these changes to the City Council.

## Historic District Zoning Ordinance

### Visibility

With input from the HDC and PCDC, staff proposes to amend the District Regulations of the HD Section of the Zoning Ordinance to reflect the importance of primary façades on historic structures. Changes to historic structures would be regulated if such changes were visible from any public right-of-way, excluding alleys. Corner properties, because of their increased visibility, would be regarded as having two primary façades. The amendment also proposes additional language to clarify that rear elevations of historic structures are the appropriate place for additions, pools, decks or other appurtenances of modern life. Proposed amendments to Chapter 22:429.3

Historic District of the Zoning Ordinance would codify language that achieves the following:

- ☐ Defines primary and secondary elevations in historic structures
- ☐ Identifies fronts, sides and rears of historic structures
- ☐ Clarifies that the rear elevation of a historic structure is a secondary elevation, is therefore less important than the primary and will be regulated to a lower standard

This language puts into practice what has been an unwritten policy in Norman's historic preservation program since its inception: front elevations of historic structures are the main focus, side elevations are important, and rear elevations, because they are less visible and therefore less important, can be modified to some degree without compromising the overall historic integrity of the structure.

#### *Historic District Commission Make-Up*

Based on input from the community, the HDC, and the PCDC, it is recommended that the Zoning Ordinance be amended to state that five members of the HDC shall own property in the historic districts, and at least three of these five shall be residents. Individuals with professional backgrounds will fill the remaining four Commission seats. Lastly, in order to allow the possibility of at-large eligibility, it is proposed that if all of the residency and professional/technical requirements are met, remaining seats on the HDC can be filled by individuals with demonstrated knowledge, experience, expertise or interest in historic preservation.

#### *Definitions*

In order to clearly define the visibility of changes to historic structures as discussed above, Chapter 22:429.3 Historic District of the Zoning Ordinance should include new definitions for elevation and façade and added definitions of the following terms: front elevation, side elevation, rear elevation, secondary elevation, and primary elevation.

### **Proposed Amendments to Historic Preservation Guidelines**

#### *Background*

Historic District Commissioners recently discovered an omission from the *Historic Preservation Handbook*. A guideline on chain link fences was omitted from Section 2.5, Guidelines for Fences and Masonry Walls. During Spring 2008 community discussions of preservation guideline content a majority of property owners supported allowing the use of chain link fences in the rear yards of interior lots. This language was omitted from the final adopted guidelines.


As mentioned previously, it is recommended that definitions for elevation and façade be revised. It is also recommended that definitions for front elevation, side elevation, rear elevation, secondary elevation, and primary elevation be


added to the *Historic Preservation Handbook*. Lastly, a diagram defining front, side, and rear yards was omitted from the Handbook.

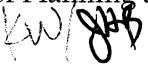
### **Recommendation**

Staff recommends that the City Council adopt the proposed language amendments to Chapter 22:429.3 Historic District of the Zoning Ordinance, amend Section 4-1901 and Section 4-1902 of Chapter 4 of the Code of the City of Norman and approve changes to the Historic Preservation Guidelines section of the *Historic Preservation Handbook* as presented above.

Reviewed by:

Steve Lewis, City Manager 

Susan Connors, Director of Planning and Community Development 

Jeff Bryant, City Attorney 

### **Attachments:**

Ordinance No. O-0910-12

Ordinance No. O-0910-18

Pages from Historic Preservation Guidelines

Staff Report

Planning Commission minutes

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 429.3 OF CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO DEFINE THE VISIBILITY OF CHANGES TO HISTORIC STRUCTURES; TO MODIFY THE MAKEUP OF THE HISTORIC DISTRICT COMMISSION; ADDING DEFINITIONS THERETO; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA;

- § 1. That Section 22:429.3, Subsection 1, of Chapter 22 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

**Section 22-429.3. HD, Historic District.**

1. Description and Purpose. The Historic District Ordinance, hereinafter referred to as the “HDO”, and its regulations may be applied to property located in any zoning district in accordance with the provisions of this Ordinance. The HDO is intended to be an overlay zoning district and the regulations imposed by such district shall be in addition to the regulations of the underlying zoning district applicable to the subject parcel.

The City of Norman hereby declares that the historical, architectural, cultural, and aesthetic features of the City represent some of the finest and most valuable resources of the City, and such resources are the embodiment of the heritage of the people of the City of Norman. Therefore, it is hereby declared that the purposes of this Ordinance, to be known as the Historic District Ordinance, shall be a follows:.

\* \* \*

- (g) To safeguard the heritage of the City by preserving and regulating historic district structures in such a way that maintains or restores their historic integrity while allowing modern day uses and conveniences for their residents.

\* \* \* \* \*

- § 2. That Section 22:429.3, Subsection 2, of Chapter 22 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

2. Definitions. As used in this chapter, unless the context otherwise requires, the following words or phrases have the meaning listed:

\* \* \*

- (j) Elevation – an exterior wall of structure
  - 1. *Front elevation* – the façade or face of a structure which is visible and prominent from a public right-of-way and which often has distinguishing architectural features. Structures on corner lots shall be considered to have two front elevations. No structure shall be considered to have more than two front elevations.
  - 2. *Side elevation* – a wall adjacent to the front elevation that is usually visible from a public right-of-way.
  - 3. *Rear elevation* – an elevation parallel to the front façade; the rear elevation usually includes the back door of the structure.
  - 4. *Primary elevation* – the front or side elevation of a structure.
  - 5. *Secondary elevation* – the rear elevation of a structure.

(k) Facade – the front wall or face of a building

Subsequent subsections will be renumbered.

\* \* \* \* \*

§ 3. That Section 22:429.3, Subsection 3, of Chapter 22 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

3. District Regulations: The following regulations shall be applicable to the HD, Historic District, and shall control the use of all properties within such district:

\* \* \*

- (b) The erection, moving, demolition, removal, rehabilitation, reconstruction, restoration, or alteration of the exterior of any structure is prohibited unless a Certificate of Appropriateness (COA) is granted by the Historic Commission of the City of Norman, unless such Certificate is not required by Subsection 8.
- (c) Changes to rear elevations do require a COA; however, the rear elevation of a historic structure is considered a secondary elevation and is therefore regulated to a lower standard to allow flexibility for additions or other modern day appurtenances.

\* \* \* \* \*

§ 4. That Section 22:429.3, Subsection 5, of Chapter 22 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

5. Historic District Commission

- (a) Creation. There is hereby created an Historic District Commission of the City of Norman, Oklahoma. The Commission shall be composed of nine members in accordance with the following requirements:
  - 1. Five of the members shall be owners of property in existing historic districts. At least three of these five members shall also reside in historic districts.
  - 2. Two of the members shall be persons with specialized technical expertise in structural engineering, law, real estate, building construction, or similar fields.
  - 3. Two of the members shall be persons with specific professional backgrounds in areas such as history, architecture, planning, landscape architecture, archaeology, or related fields.
  - 4. Provided that all of the above criteria for membership composition are met, remaining Commission appointments may be filled by at-large Norman residents who have some demonstrated knowledge, experience, expertise, or interest in historic preservation.

\* \* \* \* \*

§ 5. That Section 22:429.3, Subsection 7, of Chapter 22 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

7. Certificates of Appropriateness.

\* \* \*

- (c) Submitted COA Application Materials. When applying for a Certificate of Appropriateness, the applicant shall furnish copies of all detailed site and building plans, elevations, perspectives, material samples, and specifications with sufficient detail to clearly illustrate the applicant's intent. Applicants are encouraged to meet with the Historic Preservation Officer before submitting an application and may also request a meeting with the Historic District Commission before submitting an application in order to get feedback from the Commission on a forthcoming application. Applicants may also consult with the Historic Preservation Officer as needed during the review of the Certificate of Appropriateness (COA) application. Incomplete applications will not be forwarded to the Commission for review.

\* \* \* \* \*

§ 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance, except, that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

NOT ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor



AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 429.3 OF CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO DEFINE THE VISIBILITY OF CHANGES TO HISTORIC STRUCTURES;; TO MODIFY THE MAKEUP OF THE HISTORIC DISTRICT COMMISSION; ADDING DEFINITIONS THERETO; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA;

- § 1. That Section 22:429.3, Subsection 1, of Chapter 22 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

**Section 22-429.3. HD, Historic District.**

1. Description and Purpose. The Historic District Ordinance, hereinafter referred to as the “HDO”, and its regulations may be applied to property located in any zoning district in accordance with the provisions of this Ordinance. The HDO is intended to be an overlay zoning district and the regulations imposed by such district shall be in addition to the regulations of the underlying zoning district applicable to the subject parcel.

The City of Norman hereby declares that the historical, architectural, cultural, and aesthetic features of the City represent some of the finest and most valuable resources of the City, and such resources are the embodiment of the heritage of the people of the City of Norman. Therefore, it is hereby declared that the purposes of this Ordinance, to be known as the Historic District Ordinance, shall be a follows:.

\* \* \*

- (g) To safeguard the heritage of the City by preserving and regulating historic district structures in such a way that maintains or restores their historic integrity while allowing modern day uses and conveniences for their residents.

\* \* \* \* \*

- § 2. That Section 22:429.3, Subsection 2, of Chapter 22 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

2. Definitions. As used in this chapter, unless the context otherwise requires, the following words or phrases have the meaning listed:

\* \* \*

(j) Elevation – an exterior wall of structure

1. Front elevation – the façade or face of a structure which is visible and prominent from a public right-of-way and which often has distinguishing architectural features. Structures on corner lots shall be considered to have two front elevations. No structure shall be considered to have more than two front elevations.
2. Side elevation – a wall adjacent to the front elevation that is usually visible from a public right-of-way.
3. Rear elevation – an elevation parallel to the front façade; the rear elevation usually includes the back door of the structure.
4. Primary elevation – the front or side elevation of a structure.
5. Secondary elevation – the rear elevation of a structure.

(k) Facade – the front wall or face of a building

Subsequent subsections will be renumbered.

\* \* \* \* \*

§ 3. That Section 22:429.3, Subsection 3, of Chapter 22 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

3. District Regulations: The following regulations shall be applicable to the HD, Historic District, and shall control the use of all properties within such district:

\* \* \*

(b) The erection, moving, demolition, removal, rehabilitation, reconstruction, restoration, or alteration of the exterior of any structure is prohibited unless a Certificate of Appropriateness (COA) is granted by the Historic Commission of the City of Norman, unless such Certificate is not required by Subsection 8.

(c) Changes to rear elevations do require a COA; however, the rear elevation of a historic structure is considered a secondary elevation and is therefore regulated to a lower standard to allow flexibility for additions or other modern day appurtenances.

\* \* \* \* \*

§ 4. That Section 22:429.3, Subsection 5, of Chapter 22 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

5. Historic District Commission

(a) Creation. There is hereby created an Historic District Commission of the City of Norman, Oklahoma. The Commission shall be composed of nine members in accordance with the following requirements ~~who shall be drawn from each of the following areas:~~

1. Five of the Three members shall be property owners of property who reside in or near proposed or existing historic districts. At least three of these five members shall also reside in historic districts.
2. Two of the Three members shall be persons with specialized technical expertise in structural engineering, law, real estate, building construction, or similar fields.
3. Two of the Three members shall be persons with specific professional backgrounds in areas such as history, architecture, planning, landscape architecture, archaeology, or related fields.
4. Provided that all of the above criteria for membership composition are met, remaining Commission appointments may be filled by at-large Norman residents who have some demonstrated knowledge, experience, expertise, or interest in historic preservation.

\* \* \* \* \*

§ 5. That Section 22:429.3, Subsection 7, of Chapter 22 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

7. Certificates of Appropriateness.

\* \* \*

(c) Submitted COA Application Materials. When applying for a Certificate of Appropriateness, the applicant shall furnish copies of all detailed site and building plans, elevations, perspectives, material samples, and specifications with sufficient detail to clearly illustrate the applicant's intent. ~~In addition, application shall furnish a list of all property owners immediately adjacent to the subject property (available from the Cleveland County Register of Deeds). Incomplete applications will not be forwarded to the Commission for review. Any applicant may request a meeting with the Historic District Commission before submitting an application and may consult with the Historic District Commission during the review of the permit application.~~ Applicants are encouraged to meet with the Historic Preservation Officer before submitting an application and may also request a meeting with the Historic District Commission before submitting an application in order to get feedback from the Commission on a forthcoming

application. Applicants may also consult with the Historic Preservation Officer as needed during the review of the Certificate of Appropriateness (COA) application. Incomplete applications will not be forwarded to the Commission for review.

\* \* \* \* \*

§ 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance, except, that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

NOT ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

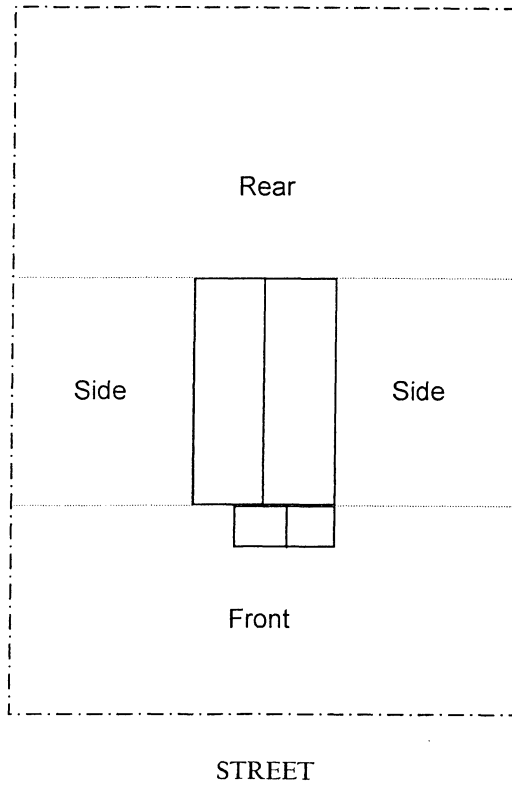


DIAGRAM ADDED TO PAGE 32  
SECTION 2.5  
FENCES AND WALLS

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 4-1901 AND SECTION 4-1902 OF CHAPTER 4 OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR HISTORIC DISTRICT COMMISSION MEMBER APPOINTMENTS AND PROVIDING FOR DUTIES OF COMMISSION MEMBERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Section 4-1901 of Chapter 4 of the Code of the City of Norman shall be amended to read as follows:

Sec. 4-1901. Created; composition of members.

There is hereby created the Historic District Commission of the City of Norman, Oklahoma. Such Historic District Commission shall be composed of the following persons. The Historic District Commission shall be composed of nine (9) members in accordance with the following requirements:

- (1) Five of the members shall be owners of property in existing historic districts. At least three of these five members shall also reside in historic districts.
- (2) Two of the members shall be persons with specialized technical expertise in engineering, law, real estate, building construction, or other similar fields;
- (3) Two of the members shall be persons with specific professional backgrounds in areas such as history, architecture, landscape architecture, planning, archeology or related fields.
- (4) Provided that all of the above criteria for membership composition are met, remaining Commission appointments may be filled by at-large Norman residents who have some demonstrated knowledge, experience or expertise in historic preservation.

\* \* \* \* \*

§ 2. That Section 4-1902 of Chapter 4 of the Code of the City of Norman shall be amended to read as follows:

Sec. 4-1902. Duties.

Unless otherwise specified in this article, the duties of the Historic District Commission shall be as follows:

\* \* \* \* \*

- (12) Review, revise, or cause to be reviewed or revised the Preservation Guidelines (formerly known as the Design Guidelines) that govern the Historic District Commission's review of applications for Certificates of Appropriateness.

\* \* \* \* \*

§ 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

NOT ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 4-1901 AND SECTION 4-1902 OF CHAPTER 4 OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR HISTORIC DISTRICT COMMISSION MEMBER APPOINTMENTS AND PROVIDING FOR DUTIES OF COMMISSION MEMBERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Section 4-1901 of Chapter 4 of the Code of the City of Norman shall be amended to read as follows:

Sec. 4-1901. Created; composition of members.

There is hereby created the Historic District Commission of the City of Norman, Oklahoma. Such Historic District Commission shall be composed of the following persons. The Historic District Commission shall be composed of nine (9) members, ~~who shall be drawn from each of the following areas:~~ in accordance with the following requirements:

- (1) ~~Five of the Three (3) members shall be property owners of property who reside in or near proposed or existing historic districts;~~ At least three of these five members shall also reside in historic districts.
- (2) ~~Two of the Three (3) members shall be persons with specialized technical expertise in engineering, law, real estate, building construction, or other similar fields;~~
- (3) ~~Two of the Three (3) members shall be persons with specific professional backgrounds in areas such as history, architecture, landscape architecture, planning, archeology or related fields.~~
- (4) Provided that all of the above criteria for membership composition are met, remaining Commission appointments may be filled by at-large Norman residents who have some demonstrated knowledge, experience or expertise in historic preservation.

\* \* \* \* \*

§ 2. That Section 4-1902 of Chapter 4 of the Code of the City of Norman shall be amended to read as follows:

Sec. 4-1902. Duties.



Unless otherwise specified in this article, the duties of the Historic District Commission shall be as follows:

\* \* \* \* \*

(12) Review, revise, or cause to be reviewed or revised the Preservation Guidelines (formerly known as the Design Guidelines) that govern the Historic District Commission's review of applications for Certificates of Appropriateness.

\* \* \* \* \*

§ 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

NOT ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Mayor

ATTEST:

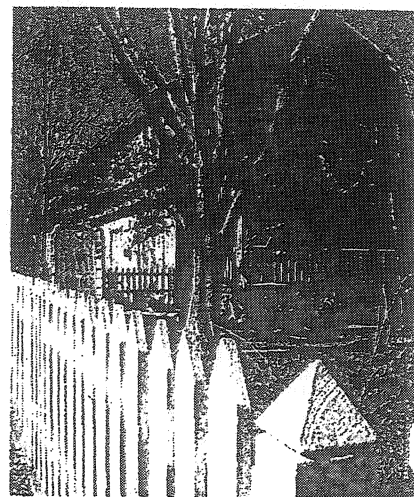
\_\_\_\_\_  
City Clerk

## 2.5 Guidelines for Fences and Masonry Walls

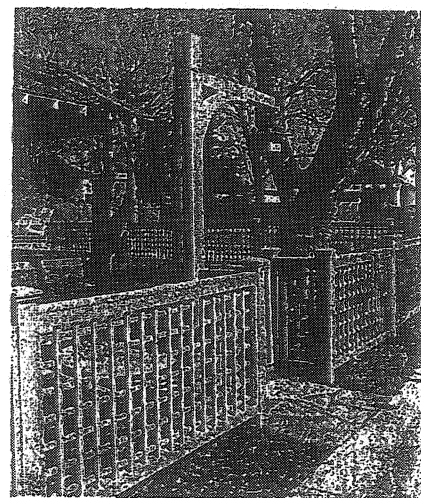
- 1 **Replacing Conforming Fences.** If an existing, conforming type of fence or wall is being replaced with one that is the same in material, height, placement, and style, a Certificate of Appropriateness is not required.
- 2 **Preserve Original Materials.** Retain and preserve exterior wall materials that contribute to the overall historic character of a building.
- 3 **Replacing Non-Conforming Fences.** Existing fences that are non-conforming as to height, material, style and placement shall not be replaced in kind. Replacement fences shall be conforming as to height, materials, and placement.
- 4 **Front Yard Fences.** Front yard fences of up to 4 feet in height may be approved by Administrative Bypass. Front yard fences taller than 4 feet are prohibited by the Norman Zoning Ordinance. See Glossary for definition of front yard.
- 5 **Side Yard Fences.** Side yard fences of up to 4 feet in height may be approved by Administrative Bypass. Side yard fences taller than 4 feet require a COA. Side yard fences taller than 6 feet are prohibited. See Glossary for definition of side yard.
- 6 **Rear Yard Fences.** Rear yard fences of up to 6 feet in height may be approved by Administrative Bypass. Rear yard fences taller than 6 feet require a COA. Rear yard fences taller than 8 feet are prohibited by the Norman Zoning Ordinance. See Glossary for definition of rear yard.
- 7 **Fences on Corner Properties Adjacent to Alleys.** Fences on corner properties with alley access shall be located very carefully to maximize sight lines and minimize conflicts between alley traffic, pedestrians, and on-street traffic.
- 8 **Fence and Wall Materials.** Fences or walls shall be constructed of wood, brick, stone, iron or cast or forged metal, stucco, or a combination of these materials, which are consistent with period styles in Norman's historic districts. Stone or brick used in walls shall be compatible in size, scale, and style to that used elsewhere in the historic district, or typical of residential structures of this type, age, and location. No vinyl, cinder block, concrete block, or corrugated metal, may be used for fences or walls in historic districts.
- 9 **Colors and Finishes.** Although paint color is not regulated by the Commission, it is strongly recommended that wood fences be stained or painted in colors and finishes appropriate to the style and period of the property and the district or left unfinished. No decorative murals shall be applied to fence or wall surfaces visible from the street.
- 10 **Finished Side Out.** Fences or walls facing the street shall be constructed with the finished side out.

### Fences By Administrative Bypass

Original historic fences and walls are important character-defining features and should be preserved and maintained as much as possible. Many common styles of privacy fence can be approved by Administrative Bypass. See page 32 for a palette of fence types.



A front yard fence under 36 inches tall creates definition and separation but still allows the beauty of the house to shine.



A dooryard gate creates a nice entrance to the front yard in a modern adaptation of the traditional wood fence.

**\*Conservation** — the sustained use and appearance of a resource essentially in its existing state.

**Contributing resource** — a historic building or site that retains the essential architectural integrity of its original design or condition.

**Coping** — the cap or the top course of a masonry wall.

**Corner block** — a block placed at a corner of the casing around a wooden door or window frame, usually treated ornamentally.

**Corner board** — one of the narrow vertical boards at the corner of a traditional wooden frame building, into which the clapboards butt.

**Cornice** — the top part of an entablature, usually molded and projecting; originally intended to carry the eaves of a roof beyond the outer surface.

**Cupola** — a small vault on top of a roof; sometimes spherical in shape, sometimes square with a mansard or conical roof.

**Damaged or diseased tree** — A tree that is damaged in such a way as to create a hazard (e.g. has a large wound) or has been pruned in a way which permanently alters its natural attributes (e.g. topped). A seriously diseased tree is one with obvious signs of internal decay (e.g. cavity with fruiting bodies present), is infested with a disease for which there is no remedy (e.g. Pine Wilt, Dutch Elm Disease), or suffers from a decline disorder.

**Deck** — an uncovered porch, usually at the rear of a building; popular in modern residential design.

**Demolition** — the destruction or removal of any historic structure from its original site.

**Dentil** — a repetitive cubical element at the base of a classical cornice. Dentils resemble teeth.

**Detached structure** — a building that is not structurally connected to the primary building on the site.

**Development pattern** — the configuration of residential lots, the location and orientation of structures on the lots, and the relationship of lots and buildings to the street.

**Dormer** — a structure containing a window (or windows) that projects through a pitched roof.

**Double-hung window** — a window with two sashes that open and close by sliding up and down in a cased frame.

**Downspout** — a vertical pipe, often of sheet metal, used to conduct water from a roof drain or gutter to the ground or a cistern.

**Eave** — the part of a sloping roof that projects beyond a wall.

~~**Elevation** — a drawing showing the vertical elements of a building, either exterior or interior, as a direct projection to a vertical plane.~~

~~**Facade** — the exterior face of a building.~~

**SUBSTITUTE LANGUAGE:**

"Elevation—an exterior wall of a structure."

**SUBSTITUTE LANGUAGE:**

"Façade—the front wall of a building."

**Fanlight** — an arched overdoor light whose form and tracery suggest an open fan.

**Fascia** — a flat board with a vertical face that forms the trim along the edge of a flat roof, or along the horizontal, or eave side of a pitched roof. The rain gutter is often mounted on it.

**Feature** — a structural or decorative element that contributes to the overall character of that building, e.g. walls, foundations, roofs, chimneys, steps, piers, columns, lintels, and sills.

**Fenestration** — the windows and doors and the pattern of their openings in a building.

**Finial** — a formal ornament at the top of a canopy, gable, pinnacle, street-light, etc.

**Flashing** — a thin impervious material placed in construction to prevent water penetration, to provide water drainage, or both, especially between a roof and a wall.

**Foundation** — the supporting portion of a structure below the first-floor construction, or below grade, including footings.

**French window** — a long window reaching to floor level and opening in two leaves like a pair of doors.

**Gable** — the vertical triangular piece of a wall at the end of a ridged roof, from the level of the eaves to the summit.

**Gambrel roof** — a gable roof more or less symmetrical, having four inclined surfaces, the pair meeting at the ridge having a shallower pitch.

**Guidelines** — An important part of the *Norman Historic Preservation Handbook*. The guidelines are a set of rules administered by the Norman Historic District Commission intended to assist owners of historic buildings in Norman's historic districts maintain, preserve, protect, and enhance the architectural quality of their property.

**Gutter** — a shallow channel of metal or wood set immediately below or built in along the eaves of a building to catch and carry off rainwater.

**Hardscape** — any material which is impervious to water and not covered by roof.

**Header** — a brick laid across the thickness of a wall to bond together different wythes of a wall; the exposed end of a brick.

**Hipped roof** — a roof without gables, each of whose sides, generally four, lies in a single plane and joins the others at an apex or ridge.

**Historic district** — a geographically definable area with a concentration or linkage of significant sites, buildings, structures, or monuments; or, an individual structure, building, site or monument which contributes to the cultural, social, political, or architectural heritage of the City of Norman.

TO BE INSERTED Front elevation—the façade or face of a structure which is visible and prominent from a public right-of-way, excluding the alley, and which often has distinguishing architectural features. Structures on corner lots shall be considered to have two front elevations. No structure shall be considered to have more than two front elevations.

**\*Preservation** — the adaptive use, conservation, protection, reconstruction, rehabilitation, or stabilization of buildings, districts, monuments, sites, or structures significant to the heritage of the people of Norman. The following terms further define types of preservation activities:

- **Adaptive Use** shall mean the restrained alteration of a historical or architectural resource to accommodate uses for which the resource was not originally constructed, but in such a way so as to maintain the general historical and architectural character.
- **Conservation** shall mean the sustained use and appearance of a resource essentially in its existing state.
- **Protection** shall mean the security of a resource as it exists through the establishment of the mechanisms of this section.
- **Reconstruction** shall mean the act or process of duplicating the original structure, building form and materials by means of new construction based on documentation of the historic condition.
- **Rehabilitation** shall mean the act or process of making a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historic, cultural or architectural values.
- **Stabilization** the process of applying methods designated to halt deterioration and to establish the structural stability of an unsafe or deteriorated resource while maintaining the essential form as it presently exists without noticeably changing the exterior appearance of the resource.

**Preservation Guidelines** — see definition for guidelines.

**Prevailing height** — the most commonly occurring height on a block face on which a project is proposed.

**Prevailing lot coverage** — the most commonly occurring lot coverage on the block and across the street.

TO BE INSERTED Primary elevation—the front or side elevation of a structure.

TO BE INSERTED Rear elevation—an elevation parallel to the front façade; the rear elevation usually includes the back door of the structure.

**Rehabilitation** — the act or the process of making possible a compatible use for a property through repair, alterations, and additions while preserving the portions or the features that convey the property's historical, cultural, or architectural values.

**Relocation** — the movement or repositioning of a primary or accessory structure on its original site or from one site to another.

**Repointing** — raking out deteriorated mortar joints and filling into them with a surface mortar to repair the joint.

**Restoration** — the act or the process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by removing features or changes from other periods in its history and reconstructing missing features from the restoration period.

**Riser** — the vertical portion of a stair, connecting two steps.

**Roofing Tile** — a tile for roofing, usually of burnt clay; available in many configurations and types including plain, single-lap, and interlocking.

**Sash** — the moving part of a window.

**Scale** — the proportion of parts of a building, structure, or monument to one another, to surrounding structures, and to the human figure.

**Secretary of the Interior Standards for Rehabilitation of Historic Buildings** — a set of standards intended to assist the long-term preservation of a historic property through the preservation of historic building materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and interior of the buildings. "Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while still preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

**Shingle** — a roofing unit of wood, asphalt, slate, tile, or other material cut to stock lengths, widths, and thicknesses; used as an exterior covering on roofs and applied in an overlapping fashion.

**Sidelight** — a narrow window area beside an outside door, generally seen in Greek Revival style.

**Sheet metal** — a flat, rolled-metal product, rectangular in cross-section and form; when used as roofing material, usually terne- or zinc-plated.

**\*Significant characteristics** — those characteristics which are important to or expressive of the historic or architectural quality and integrity of the resources and its setting and which include, but are not limited to building material, detail, height, proportion, rhythm, scale, setback, setting, shape, street accessories, and workmanship.

- **Building mass** — describes the relationship of a building's height to its width and depth.
- **Building materials** — the physical characteristics which create the aesthetic and structural appearance of the resource, including but not limited to a consideration of the texture and style of the components and their combinations, such as brick, stone, shingle, wood, concrete, or stucco.
- **Detail** — architectural aspects which, due to particular treatment, draw attention to certain parts or features of a structure.
- **Height** — the vertical dimension of a given structure, building or monument.
- **Proportion** — the relative physical sizes within and between buildings and building components.
- **Rhythm** — a discernible pattern of shapes including, but not limited to, windows, doors, projections, and heights, within a building, structure or monument, or a group of same.
- **Scale** — the proportion of parts of a building, structure, or monument to one another and to the human figure.
- **Setting** — the surrounding structures, monuments, and landscaping which establish the visual, aesthetic, or auditory qualities of the historic or architectural resources.

TO BE INSERTED Secondary elevation—the rear elevation of a structure.

TO BE INSERTED Side elevation—a wall adjacent to the front elevation that is usually visible from a public right-of-way.



Date: October 30, 2009

To: Chairman Jim Gasaway and Planning Commission members

From: Susan F. Connors, Director, Planning & Community Development

Subject: Consideration Of Ordinance O-0910-12

### Background

Since May 2009, the Planning & Community Development Committee (PCDC) of the City Council has discussed revisions to Chapter 22:429.3 Historic District of the Zoning Ordinance seeking to better define the visibility of changes to historic structures as regulated by the Historic District Commission (HDC) and to make expectations clearer to property owners. These changes would require revision of two definitions in the HD Section of the Zoning Ordinance and the addition of five terms to the Ordinance.

In addition, the PCDC has recommended Ordinance revisions regarding Commission make-up to require a resident and property owner majority, but also to specify that a minority of the HDC have professional and technical expertise related to historic preservation as required to participate in the Certified Local Government (CLG) Program of the State Historic Preservation Office (SHPO). This requires an amendment to the Historic District Commission section of the Ordinance.

### Historic District Zoning Ordinance

The PCDC asked the staff to amend the HD Ordinance to better address issues of visibility, commission make-up, and definitions. Working with the PCDC and the HDC, staff developed language to address these issues. The PCDC accepted the proposed Ordinance amendments at their October 9, 2009 meeting and requested that the item be placed on a City Council Conference agenda. Council discussed this item at the October 27, 2009 Conference and requested that it be docketed on a Planning Commission agenda soon. These items are discussed below and the Ordinance changes are attached as Attachment A.

### Visibility

The Planning & Community Development Committee discussed several approaches to defining the visibility of changes to historic structures, and the need to define primary and secondary façades. The proposed amendments reflect the importance of primary façades. The Committee agreed that visibility of changes to historic structures should be regulated from any public right-of-way, excluding alleys, but that corner properties, because of their increased visibility, would be regarded as having two primary façades. The committee also agreed that rear elevations are the appropriate place for additions, pools, decks or other appurtenances of modern life. Proposed amendments to Chapter 22:429.3 Historic District of the Zoning Ordinance codify language that achieves the following:

- ☐ Defines primary and secondary elevations in historic structures
- ☐ Identifies fronts, sides and rears of historic structures

- ❑ Clarifies that the rear elevation of a historic structure is a secondary elevation, is therefore less important than the primary and will be regulated to a lower standard

This language puts into practice what has been an unwritten policy in Norman's historic preservation program since its inception: front elevations of historic structures are the main focus, side elevations are important, and rear elevations, because they are less visible and therefore less important, can be modified to some degree without compromising the overall historic integrity of the structure.

#### *Historic District Commission Make-Up*

In a recent survey of historic district property owners, many respondents expressed a desire that a majority of HDC should own property in the historic districts. A number of respondents also indicated that a majority of these property owner-commissioners should also reside in the districts. A majority of respondents also expressed a desire to continue the City's participation in the CLG program administered by the SHPO.

CLG program participation requires a proportional representation of commission members with technical or professional backgrounds in preservation or related disciplines. In Norman's case, that would be four members of the nine-member commission. In order to fulfill both residents' desires and CLG requirements, the proposed amendments state that five members of the HDC shall own property in the historic districts, and at least three of these five shall be residents. Individuals with technical and professional backgrounds will fill the remaining four HDC seats. Lastly, in order to allow the possibility of at-large eligibility, the amendment proposes that if all of the residency and professional/technical requirements are met, remaining seats on the HDC can be filled by individuals with demonstrated knowledge, experience or expertise in historic preservation.

#### *Definitions*

In order to clearly define the visibility of changes to historic structures as discussed above, Chapter 22:429.3 Historic District of the Zoning Ordinance should include new definitions for elevation and façade, and added definitions of the following terms: front elevation, side elevation, rear elevation, primary elevation and secondary elevation.

**Recommendation:** Staff recommends that Planning Commission recommend adoption of the Ordinance changes to City Council.



**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**NOVEMBER 12, 2009**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12<sup>th</sup> day of November, 2009. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m. He introduced Diana Hartley, who was recently appointed to the Planning Commission to take the place of Ed Adwon.

Item No. 1, being:  
**ROLL CALL.**

**MEMBERS PRESENT**

Jim Gasaway  
Diana Hartley  
Tom Knotts  
Chris Lewis  
Curtis McCarty  
Paul Minnis  
Roberta Pailes  
Andy Sherrer  
Zev Trachtenberg

**MEMBERS ABSENT**

None

A quorum was present.

**STAFF MEMBERS PRESENT**

Susan Connors, Director, Planning &  
Community Development  
Doug Koscinski, Manager, Current  
Planning Division  
Ken Danner, Development Coordinator  
Roné Tromble, Recording Secretary  
Leah Bunney, Asst. City Attorney  
Larry Knapp, GIS Analyst  
Jane Hudson, Planner II  
Susan Atkinson, Planner I

\* \* \*

Item No. 8, being:

**ORDINANCE NO. O-0910-12 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 429.3 OF CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO DEFINE THE VISIBILITY OF CHANGES TO HISTORIC STRUCTURES, TO MODIFY THE MAKE-UP OF THE HISTORIC DISTRICT COMMISSION, AND ADDING DEFINITIONS THERETO; AND PROVIDING FOR THE SEVERABILITY THEREOF.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report
2. Annotated Ordinance No. O-0910-12

**INTRODUCTION BY STAFF:**

1. Susan Atkinson, Historic Preservation Officer – We have been working with the Council Planning and Community Development Committee for the past several months to address some concerns that had arisen from property owners in the two historic districts to make sure that the guidelines' intent was a little bit clearer to both property owners, to the Commission, and to staff as well. The issue boiled down to some concerns about visibility, because what historic district commissions tend to regulate is changes to historic structures, so the question of where those changes can be made to retain the greatest degree of historic integrity is of great interest. We've added some language that makes the intent of the HD ordinance a little clearer. One of those issues is regulating historic structures in a way that maintains or restores their historic integrity but still allows the use of modern conveniences and appurtenances for residents. We hope it makes clear that this is not trying to freeze an area of the city in time; it's understanding that historic structures are dynamic, that people live in them, and that people have to be able to accommodate some degree of modern changes. In order to do that, one of the things that was necessary was to get very clear about what elevations we were talking about, so we needed to strengthen our definition of elevation and a definition of the word façade, and then we needed to add definitions for front, side, and rear elevations, and primary and secondary elevations. The primary elevations in a historic structure are the front and the sides, because those have the greatest degree of visibility. The rear elevation is considered a secondary elevation and, because it is less visible, can be modified to some extent and not interrupt the historic integrity; it is regulated to a lower standard because it is less visible. Those definitions are added to the ordinance, and will also be added to the guidelines. There were some concerns about the make-up of the Commission: who was actually eligible to serve on the Historic District Commission. Working with the Planning Committee, the proposal that we came up with is, of the nine-member commission, we are proposing to amend the ordinance to say that five members shall be property owners of property in the two historic districts and, of those five, three shall be residents. We are required by our participation in the Certified Local Government Program, which is a program of the State Historic Preservation Office, to include on the Commission a couple of experts and people who have a background in preservation or in related disciplines or people who have experience with preservation. Previously our ordinance said that we would have three people who were attorneys, realtors, civil engineers, etc., and then three that were

architects, landscape architects, planners, etc. We are proposing to reduce that number to two each, and that does not jeopardize our participation in the CLG program, which provides a small funding stream annually, around \$10,000 a year. We are also adding the possibility of at-large representation. We have had, for the entire history of the program, a number of people who do not own property in the two historic districts but who have a great deal of experience with old houses or historic neighborhoods, and there are folks who would like to serve and would bring a great wealth of experience and knowledge and broader perspective to the Commission; their participation is important. So we're adding a fourth category of eligibility that would allow this at-large representation, if we can meet our numbers in some other way. Sometimes we have people who both own property in the historic district and happen to be, for example, a civil engineer. And, last, we wanted to clarify the section of the ordinance dealing with the Certificate of Appropriateness, which is the document that the Commission grants to applicants, encouraging them to meet with staff and even the HDC before they submit an application. This has always been possible and, in fact, happens most of the time that they meet with staff, but I think sometimes pre-applicants have been a little reluctant to ask for Commission time when, in fact, the Commission would love to be able to give people comment that would help them come up with an application that the Commission can approve.

2. Paul Minnis asked whether the Historic District Commission is ultimately advisory to the City Council. Susan Atkinson responded that it is actually a decision-making body. Decisions that are appealed from the Commission are appealed directly to City Council.

3. Zev Trachtenberg asked if there had been any discussion that people who are residents or owners may have competing incentives. On the one hand, presumably, as residents they have some aesthetic or other kind of interest in the historic character. But, on the other hand, as property owners and as people trying to reap the advantages of the appurtenances of modern life might have counter interests that work against the historic character of the homes. Susan Atkinson responded that the notion of competing interests did not enter into the discussion. To some degree, the motivation was to make sure that there was "taxation with representation." What we were attempting to do was strike a balance between vested interests of the neighborhood and of specific property owners and the fact that historic districts benefit the community as a whole, and in some ways they belong to all of us. We have had a long history of great commissioners in our City; we've been very fortunate that way. I have every reason to believe that we will continue to be able to do that. The Commission has a play book that they work by, which is the Historic Preservation Guidelines. If the Commission is doing their job, then they are following the Historic District Guidelines. There is some room for interpretation there, but it is the play book by which they have to make decisions so they can make defensible decisions.

4. Zev Trachtenberg agrees that there is a citywide interest in the preservation of these districts. He asked who is most directly responsible for looking after that public

interest. Susan Atkinson responded that she believes it is the combination of the Code and the dispassionate non-district property owners. It is everyone's duty, staff included, on a case-by-case basis, to look at how changes to historic properties have effects on the surrounding properties and on the district as a whole. That language is repeated throughout the guidelines and in the Secretary of Interior's standards, which is the federal play book and is also adopted in our HD ordinance. I think we have a number of administrative safeguards that are included in the process that I hope allow the Commission and I, as staff, to be good stewards for the community.

5. Paul Minnis asked what the requirements are to be on the Planning Commission, other than alive and a Norman resident. Doug Koscinski indicated they have to be registered voters. Paul Minnis commented that he doesn't have a problem with the make-up of the commission having residents/owners of historic district properties, or the experts. If there are going to be at-large Norman residents, he doesn't see why we're requiring them to have some demonstrated knowledge, expertise, or experience in historic preservation. You don't have to have any connection to medicine to serve on the Hospital Board. Planning Commission membership doesn't require any expertise with city planning. He suggested that any at-large member of the Historic District Commission only be required to be a Norman resident. Susan Connors reported that, at the Planning and Community Development Committee meeting, there was not 100% agreement on the at-large person until the provision was added that they have some demonstrated knowledge and understanding.

6. Curtis McCarty asked why they want to make these changes. Susan Connors explained that they are based on a survey that Carol Dillingham had residents of the two historic districts fill out.

7. Jim Gasaway commented that he is a former member of the Historic District Commission and all of these items have been discussed since the beginning. These same items have come up every year. He believes this ordinance is a good resolution of those issues and it defines some issues that have always been a little gray and open for definition.

8. Andy Sherrer said he agrees with Mr. Minnis' comments to some degree. He's not sure of the purpose of the strict language on the at-large representation. He indicated that he will vote for the ordinance either way, but he would prefer to strike the strict language.

9. Zev Trachtenberg asked what is required by other cities that have historic district commissions. Susan Atkinson responded that she doesn't have explicit knowledge of other cities' membership requirements. She added that serving on the Commission is kind of a thankless job, because it requires a very detailed knowledge of the preservation handbook and requires a lot of field trips to look at things. The people that tend to want to serve on the Commission sort of self-select as people who have some interest. She said "a demonstrated interest" could be a pretty low threshold. Paul

Minnis pointed out that the ordinance doesn't say "demonstrated interest"; it requires "demonstrated knowledge, experience or expertise in historic preservation." Roberta Pailes commented that it would be nice to insert "interest" so it would read: "knowledge, interest, experience or expertise."

Chairman Gasaway asked if anyone in the audience wished to speak on this item. There being none, he turned the discussion to the Planning Commission.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Curtis McCarty moved to recommend adoption of Ordinance No. O-0910-12 to the City Council. Zev Trachtenberg seconded the motion.*

YEAS	Jim Gasaway, Diana Hartley, Tom Knotts, Chris Lewis, Curtis McCarty, Paul Minnis, Roberta Pailes, Andy Sherrer, Zev Trachtenberg
NAYES	None
MEMBERS ABSENT	None

Recording Secretary Roné Tromble announced that the motion to recommend adoption of Ordinance No. O-0910-12 to the City Council was adopted by a vote of 9-0.

\*\*\*

CITY COUNCIL  
PLANNING AND COMMUNITY DEVELOPMENT  
COMMITTEE MINUTES

October 9, 2009

The City Council Planning and Community Development Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 8:00 a.m. in the Conference Room on the 9th day of October, 2009, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Atkins, Cubberley, Griffith, and Chairman Butler
ABSENT:	None
OTHERS PRESENT:	Mayor Cindy Rosenthal Ms. Susan Atkinson, Planner I Ms. Karla Chapman, Administrative Technician III Ms. Susan Connors, Director of Planning and Community Development Ms. Kathryn Walker, Assistant City Attorney

CONTINUED DISCUSSION REGARDING PROPOSED AMENDMENTS TO THE HISTORIC DISTRICT ORDINANCE.

Ms. Susan Connors, Planning and Community Development Director, said she and Ms. Susan Atkinson, Planner I, spent a great deal of time discussing the Committee's recommendations from the September 25, 2009, Planning and Community Development Committee (PCDC) meeting. She said if the Ordinance was amended as proposed, specifically, with no Certificate of Appropriateness (COA) on the rear elevation, Staff could possibly receive applications for massive rear additions to historic structures. Ms. Connors felt this was not the PCDC's intent and that is why Staff is now recommending adding "changes to rear elevations, unless they have significant architectural features, will not require a Certificate of Appropriateness," to Section 429.3 *District Regulations*. Ms. Atkinson said the Committee agreed verbiage that clearly conveys that the front and sides of historic structures were the most important to preserve and that the rear was where property owners could have flexibility. She said Staff realized eliminating all regulation of the rear of historic structures would contradict the Historic Preservation Guidelines adopted in August 2009. In particular, the proposed language would leave unregulated, the size and scale of additions to the rear. She said at present the Preservation Guidelines do not regulate the rear of structures as separate from the rest of the building. Ms. Atkinson said several approaches to defining the visibility of changes were discussed and whether definitions of primary and secondary facades were needed. Ms. Atkinson said the Committee supported Staff's proposal amending the *District Regulations* section of the HD Ordinance to reflect the importance of the primary facade and that visibility of changes should be regulated from any public right-of-way, excluding alleys. It was also agreed that corner properties would be regarded as having two primary facades, because of their increased visibility. Ms. Atkinson said Staff is trying to achieve a codification of the language that provides the following:

- Defines primary and secondary elevations in historic structures
- Identifies front, side and rear of historic structures
- Clarifies the rear is a secondary elevation and is therefore less important than the primary and will be regulated to a lower standard

Ms. Atkinson said this language puts into practice what has been an unwritten policy in Norman's preservation program since its inception: front elevations of historic structures are sacred, side elevations are important, and rear elevations, because they are less visible and therefore less important, can be modified to some degree without compromising the overall historic integrity. She said codifying this policy will make the HDC's task of project review more straightforward as well as making expectations more clear for the public.

Ms. Atkinson said at the October 5, 2009, Historic District Commission (HDC) meeting, Staff presented proposed HD Ordinance amendments that would better define the visibility of historic structures and redefine eligibility to serve on the HDC. She said a strong majority of the HDC recommended no changes to the proposed language

regarding how changes to the rear elevations of historic structures would be regulated and the ordinance would read as follows:

- (c) Changes to rear elevations do require a COA; however the rear elevation of a historic structure is considered a secondary elevation and is therefore regulated to a lower standard to allow flexibility for additions or other modern day appurtenances.

She said the Commission discussed the proposed amendment concerning Commission eligibility and how it could impact the Preservation program as well as the City's ability to find eligible members to serve on the HDC. She said the Commission felt if it was the PCDC's intent to limit HDC eligibility to owners of property in HD, the proposed language contained an error and the Commission suggested changing the amendment to read as follows:

- (a) Five members shall be owners of property in existing historic districts.

Ms. Atkinson said one HD Commissioner said if the Ordinance language was amended as proposed, she would no longer be eligible to serve because she is a resident "near" an existing HD. Ms. Atkinson said a simple majority expressed concern that requiring five members of the Commission be property owners sends the wrong message about the value of preservation to the community as a whole, while a minority expressed concern that the five members be both property owners and residents.

Mayor Rosenthal said while she agrees some may have initially been appointed because they live "near" a historic district, but may also meet the expertise requirement as well and she would hate to lose some of the flexibility when considering reappointments. Councilmember Cubberley said the requirements say a member must meet only one of the criteria, not two; therefore one member could be eligible to serve with more than one of the three requirements. Councilmember Butler said adding one additional sentence stating if one member meets all three qualifications, there is an opportunity to have an "at large" member and Mayor Rosenthal agreed. Councilmember Cubberley asked if the technical expertise and professional background requirement could be combined into one category and Ms. Connors said the Certified Local Government (CLG) Program requires having both. Councilmember Cubberley said he understood recruiting is a challenge, but felt the HDC needed to have a majority of residents, and if the residents fit one or more of the requirements, then an "at large" member spot could be filled. Mayor Rosenthal said the "or near" qualification, as the ordinance now reads, was used in case there was some interest to grow a HD to nearby neighborhoods. She said the HD Commissioner who expressed concern lives outside the HD, could now be reappointed because she has technical expertise because of her service on the HDC.

Councilmember Butler felt the new verbiage for the remaining amendments are what the Committee desires for the HDC and the Committee agreed. The Committee suggested Staff bring the proposed amendments forward to a City Council Conference or Study Session, whichever allows the quickest scheduling, so Staff can brief the Councilmembers not present today.

Councilmember Butler said Staff will bring discussion of reconstituting the Porter Corridor Steering Committee to the October 23, 2009, PCDC meeting. Mayor Rosenthal asked Staff if they envisioned the Overlay District going to the Stakeholder Committee, this Committee, or to Council first and Ms. Connors felt it would go to the Stakeholder Committee, to gain input first. Councilmember Cubberley said the Stakeholder Committee has already given their opinion and Ms. Connors said Staff will need to settle some of the concerns raised when the Porter Avenue Corridor Study was accepted. Councilmember Atkins asked if the Overlay District will establish the "hard line" or was Staff considering two separate topics. Councilmember Cubberley said it would be appropriate for this Committee to begin looking at design criteria, levels of control, etc., with the professionals. He said a basic understanding and compromise needs to be worked out before moving forward, because if disagreements are not settled they will keep reappearing. Mayor Rosenthal felt the acceptance of the "hard line" as well as future projected land uses would be added to the Norman 2025 Land Use Plan, which need to be resolved relatively quick and the Committee agreed. She said she would like to see a Land Use Plan Amendment based on recommendations with Staff modifications in reference to the line, so that there is some clarity for everyone in terms of status of this map, this line, and the 2025 Plan. Councilmember Butler requested Staff provide the concerns raised by the

property owners along with maps and Mayor Rosenthal felt a work session would also be beneficial. Councilmember Butler requested Staff draft a charge statement for the Stakeholder Committee.

Councilmember Butler said the Committee will look at language for commercial lighting on November 13, 2009, and a future discussion topic will be Environmental Control Advisory Board's (ECAB) water conservation recommendation, specifically having residents use odd/even days to conserve water. Councilmember Cubberley said most residents understood water usage and would comply and he felt Staff was doing a great job of getting information to the public. Mayor Rosenthal asked Staff to write a letter to ECAB thanking and crediting them for their hard work on water conservation and suggest ECAB prepare an annual water report for Norman and highlight their recommendations rather than making them regulatory.

Items submitted for record

1. Memorandum dated October 1, 2009, from Ms. Susan Owen Atkinson, Historic Preservation Officer, to Planning and Community Development Committee
2. Proposed Revisions to Historic District Zoning Ordinance
3. Memorandum dated October 7, 2009, from Ms. Susan Owen Atkinson, Historic Preservation Officer, to Planning and Community Development Committee

The meeting adjourned at 8:36 a.m.

---

Attest: City Clerk

---

Mayor



## CITY COUNCIL CONFERENCE MINUTES

October 27, 2009

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in conference at 5:20 p.m. in the Municipal Building Conference Room on the 27th day of October, 2009, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

### PRESENT:

Councilmembers Atkins, Butler, Dillingham, Griffith, Quinn, Mayor Pro Tem Cubberley

### ABSENT:

Councilmembers Ezzell, Kovach, Mayor Rosenthal

DISCUSSION REGARDING CHANGE ORDER NO. ONE TO CONTRACT NO. K-0910-104 WITH SUN CONSTRUCTION SERVICES, INC., INCREASING THE CONTRACT AMOUNT BY \$446.50 FOR MUNICIPAL BUILDING C RENOVATION PROJECT.

Mr. Patrick Copeland, Manager, Development Services Division, said the Municipal Building C Renovation Project includes the removal and replacement of the entire roof; replacement of the heating and air conditioning (HVAC) equipment; replacement of the carpet; and remodeling of the Human Resources Department. Bids were received on September 29, 2009, and the lowest bid was received from Sun Construction in the amount of \$888,226. Subsequent to the bid opening, staff identified five areas where it would be best if the proposed flooring (carpet) was changed to a different material. The changes resulted in an increase of \$446.50 and Change Order No. One provides for the proposed changes in flooring specifications.

The change order will be considered on Council's regular agenda later this evening.

### Items submitted for the record

1. Memorandum dated October 13, 2009, from Patrick Copeland, AICP, CFM, Manager, Development Services Division, to Honorable Mayor and Councilmembers
2. Change Order No. One to Contract No. K-0910-104

DISCUSSION REGARDING PROPOSED AMENDMENTS TO THE HISTORIC DISTRICT ORDINANCE AND HISTORIC PRESERVATION GUIDELINES.

Ms. Susan Atkinson, Historic Preservation Officer, highlighted the proposed amendments to the Historic District Ordinance. She said the proposed amendments are the result of a review process through the Council Planning and Community Development Committee (PCDC) and a survey conducted by Councilmember Dillingham in the two historic districts. She said the amendments as proposed by the Committee would better define the visibility of changes to historic structures regulated by the Historic District Commission and make expectations clearer to property owners.

Ms. Atkinson said the Committee agreed visibility of changes to historic structures should be regulated from any public right-of-way, excluding alleys, but corner properties would be regarded as having two primary facades due to increased visibility. The proposed amendments define primary and secondary elevations in historic structures; identifies fronts, sides, and the rear of historic districts; and clarifies the rear elevation of a historic structure is a secondary elevation, less important than the primary, and will be regulated to a lower standard. She said the proposed language puts into practice what has been an unwritten policy in Norman's Historic Preservation Program since its inception.

The second proposed amendment is related to the structure of the Historic District Commission. Ms. Atkinson said a recent survey of historic district property owners indicated a majority of the Historic District Commissioners should own property in the historic districts and a majority of property owners/commissioners should also live within one of the City's two historic districts. A majority of the respondents also expressed a desire to continue the City's participation in the Certified Local Government (CLG) Program. The CLG

Program participation requires a proportional representation of commission members with professional background in preservation or related disciplines. In order to meet both obligations the PCDC recommended the ordinance be amended to state five members of the Commission shall own property in the historic districts and at least three of the five shall be residents. Additionally, in order to allow for the possibility of an at-large member, the PCDC proposed if all residency and professional/technical requirements are met, remaining seats on the Historic District Commission could be filled by at-large Norman residents who have some demonstrated knowledge, experience, or expertise in historic preservation.

Ms. Atkinson provided an overview of proposed amendments to the Historic Preservation Guidelines. She said a guideline on chain link fences was previously omitted from the Historic Preservation Guidelines which states chain link fencing may be used in the rear yards of interior lots. Other amendments revise definitions for elevation and facades.

Ms. Atkinson said with Council's concurrence the proposed amendments will be forwarded to the Planning Commission before being placed on Council's agenda for formal consideration. It was the consensus of Council to move forward with the amendments.

Items submitted for the record

1. Memorandum dated October 20, 2009, from Susan Owen Atkinson, Historic Preservation Officer, to Honorable Mayor and Members of the City Council with Attachment A, Proposed Ordinance No. O-0910-12, and Attachment B, proposed amendments to Historic Preservation Guidelines

DISCUSSION REGARDING THE OUTDOOR WARNING SYSTEM REPLACEMENT PROJECT AND ACTIVATION POLICY.

Fire Chief James Fullingim said the purpose of this discussion is to provide an information briefing on the City's Outdoor Warning System and Activation Policy. He said an outdoor warning system normally consists of sirens designed to alert citizens that are outside of approaching or existing hazardous conditions, which require immediate protective actions in order to save lives and property. He said they are not intended to be heard inside a home or building. He provided an overview of Norman's 37 outdoor warning sirens. He said Norman has 21 Federal signals ranging in age from 35-40 years, all of which are no longer in production. He said parts are salvaged from units that are no longer functioning to keep the system going. There are 17 American signals ranging in age from six to 12 years old, three of which are owned by the University of Oklahoma. He said the system is activated manually and is a one way signal without computer control or geographical activation zone capabilities. He said the signals are designed to be heard within a two mile radius, but topography and trees will shorten the length in which signals may be heard. Fifty percent of the sirens have exceeded their life span and most are obsolete and staff can no longer purchase replacement parts for them. He said 80% of the sirens activate on any given attempt; however, those that activate and function when tested may not activate when tested the next time. The current system does not cover the entire City limits and are more densely located in the urban area where there is higher population.

Chief Fullingim provided an overview of the current Outdoor Warning System Activation Policy and said currently, the Emergency Management Director makes the decision to activate the sirens based upon notification of approaching severe weather from the National Weather Service or storm watch personnel. If communications with the Emergency Management Director or Emergency Management Coordinator cannot be established, Fire Department Shift Commanders are authorized to sound the warning sirens. As previously discussed when the outdoor warning sirens are activated, the entire system has to be activated. It does not have the capabilities of being activated by zones.

Chief Fullingim said staff began a policy review process and received input from all stakeholder areas; i.e., National Weather Service, local professionals, University of Oklahoma, emergency management partners, and



Date: December 2, 2009

To: Honorable Mayor and City Council Members

From: Anthony Francisco, Director of Finance *A. Francisco*

Subject: Agenda Items – Ordinance O-0910-16 Calling For a Special Election for the Issuance of Series 2010 General Obligation Bonds

**BACKGROUND:** On January 25, 2005, the City Council adopted Ordinance O-0405-34, calling for an election for General Obligation bonded indebtedness to pay for various public improvements. Among these improvements were street resurfacing projects throughout the City, to be repaid over a five-year period from the time of their issuance.

**DISCUSSION:** Discussion has been had at several public City Council study sessions and Council Finance Committee meetings of proposals for the continuation of the five-year street resurfacing program. Further discussion was had of referring a proposition to the voters of Norman for the issuance of general obligation bonds to pay for improvement to the City's outdoor warning system.

At the November 17, 2009 Council study session, final direction was given for the referendum to be forwarded to the voters for a continuation of the five-year street improvement program and for the outdoor warning system. The final direction was for an approximately \$19 million proposal for the resurfacing and/or reconstruction of rural, asphalt and concrete roads throughout the City, and for an approximately \$2,250,000 proposal for the expansion, replacement and renovation of the City's outdoor siren warning system. Each of the proposed bond issues would be repaid over a five-year final maturity. The attached Ordinance gives detailed information on the streets to be improved and the components of the proposed outdoor warning system.

**RECOMMENDATION:** It is recommended that the Ordinance and resolution be approved.

Reviewed by: Steve Lewis, City Manager  
Jeff Bryant, City Attorney *JB*

*SL*

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE MAYOR AND THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA (THE "CITY") MET IN REGULAR SESSION AT THE MUNICIPAL BUILDING COUNCIL CHAMBERS, 201 WEST GRAY, IN NORMAN, OKLAHOMA, ON THE 22<sup>ND</sup> DAY OF DECEMBER, 2009, AT 6:30 O'CLOCK P.M.

PRESENT:

ABSENT:

Notice of the Schedule of Regular Meetings of the governing body of the municipality for calendar year 2009, having been given in writing to the Clerk of the municipality, and public notice of this meeting having been posted in prominent public view at the Municipal Building Council Chambers, 201 W. Gray, Norman, Oklahoma, at least twenty-four (24) hours prior to this meeting, excluding Saturdays, Sundays and State designated legal holidays, all in compliance with the Oklahoma Open Meeting Act.

(OTHER PROCEEDINGS)

THEREUPON, the Mayor introduced an Ordinance, which was read in full by the Clerk and considered by sections, and upon motion by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, said Ordinance was adopted by the following vote:

YEAS:

NAYS:

Said Ordinance was thereupon signed by the Mayor, attested by the Clerk, sealed with the seal of said municipality, and is as follows:

ORDINANCE NO. 0-0910-16

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, STATE OF OKLAHOMA (THE "CITY"), ON THE 2ND DAY OF MARCH, 2010, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF THE ISSUANCE OF THE BONDS OF SAID CITY IN AN AMOUNT NOT TO EXCEED THE SUM OF TWENTY ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$21,250,000) TO BE ISSUED IN SERIES TO PROVIDE FUNDS FOR THE PURPOSES OF (I) RECONSTRUCTING, REPAIRING, IMPROVING, AND REHABILITATING EXISTING STREETS, ROADS, AND INTERSECTIONS IN THE CITY (INCLUDING LIGHTING, SIDEWALKS/BIKEPATHS, LANDSCAPING, RELATED DRAINAGE IMPROVEMENTS, DRIVEWAY RECONSTRUCTION, AND OTHER RELATED IMPROVEMENTS), AND (II) IMPROVING THE CITY OUTDOOR SIREN WARNING SYSTEM BY ACQUIRING NEW WARNING SIRENS AND CONTROL STATION HARDWARE AND SOFTWARE, BY ACQUIRING LAND FOR WARNING SIRENS, AND BY MODIFYING AND RELOCATING CERTAIN OF THE EXISTING WARNING SIRENS, ALL TO BE OWNED EXCLUSIVELY BY THE CITY; AND LEVYING AND COLLECTING AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL ON SAID BONDS.

WHEREAS, it is deemed advisable by The City of Norman, State of Oklahoma (the "City") to (i) reconstruct, repair, improve, and rehabilitate existing streets, roads, and intersections in the City (including lighting, sidewalks/bikepaths, landscaping, related drainage improvements, driveway reconstruction, and other related improvements) and (ii) improve the City outdoor warning siren system by acquiring new warning sirens and control station hardware and software, by acquiring land for warning sirens, and by modifying and relocating certain of the existing warning sirens, all to be owned exclusively by the City; and

WHEREAS, the estimated amount necessary for such purposes is Twenty One Million Two Hundred Fifty Thousand Dollars (\$21,250,000); and

WHEREAS, there are no funds in the treasury for such purposes, and power is granted said City by Section 27, Article 10, of the Oklahoma Constitution and laws of the State of Oklahoma, to issue bonds to provide funds for such purposes, provided the same is authorized by the registered qualified voters thereof, voting at an election held for such purpose.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

Section 1. Propositions. That the Mayor of the City, or in her absence or incapacity, the duly qualified Mayor Pro Tempore, be and hereby is authorized and directed to call a special election to be held in the City on the 2<sup>nd</sup> day of March, 2010, for the purpose of submitting to the registered qualified voters of the City, for their approval or rejection, the following propositions:

PROPOSITION NO. 1

"SHALL THE CITY OF NORMAN, STATE OF OKLAHOMA, INCUR AN INDEBTEDNESS BY ISSUING ITS BONDS IN THE SUM OF NINETEEN MILLION DOLLARS (\$19,000,000) TO PROVIDE FUNDS FOR THE PURPOSE OF RECONSTRUCTING, REPAIRING, IMPROVING, AND REHABILITATING EXISTING STREETS, ROADS, AND INTERSECTIONS IN THE CITY OF NORMAN, OKLAHOMA (INCLUDING LIGHTING, SIDEWALKS/BIKEPATHS, LANDSCAPING, RELATED DRAINAGE IMPROVEMENTS, DRIVEWAY RECONSTRUCTION, AND OTHER RELATED IMPROVEMENTS); AND LEVY AND COLLECT AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AS IT FALLS DUE, AND ALSO TO CONSTITUTE A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL THEREOF WHEN DUE, SAID BONDS TO BEAR INTEREST AT NOT TO EXCEED THE RATE OF TEN PERCENTUM (10%) PER ANNUM, PAYABLE SEMI-ANNUALLY AND TO BECOME DUE SERIALY WITHIN FIVE (5) YEARS FROM THEIR DATE?"

PROPOSITION NO. 2

"SHALL THE CITY OF NORMAN, STATE OF OKLAHOMA, INCUR AN INDEBTEDNESS BY ISSUING ITS BONDS IN THE SUM OF TWO MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$2,250,000) TO PROVIDE FUNDS FOR THE PURPOSE OF IMPROVING THE CITY OUTDOOR WARNING SIREN SYSTEM IN THE CITY OF NORMAN, OKLAHOMA, BY ACQUIRING NEW WARNING SIRENS AND CONTROL STATION HARDWARE AND SOFTWARE, BY ACQUIRING LAND FOR WARNING SIRENS, AND BY MODIFYING AND RELOCATING CERTAIN OF THE EXISTING WARNING SIRENS, ALL TO BE OWNED EXCLUSIVELY BY SAID CITY; AND LEVY AND COLLECT AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AS IT FALLS DUE, AND ALSO TO CONSTITUTE A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL THEREOF WHEN DUE, SAID BONDS TO BEAR INTEREST AT NOT TO EXCEED THE RATE OF TEN PERCENTUM (10%) PER ANNUM, PAYABLE SEMI-ANNUALLY AND TO BECOME DUE SERIALY WITHIN FIVE (5) YEARS FROM THEIR DATE?"

Section 2. Description of Projects and Use of Proceeds.

**(Proposition No. 1)  
Street and Road Project**

The rural road improvements, the urban asphalt pavement rehabilitation, the urban concrete pavement rehabilitation, and the roadway reconstruction, all represent improvements to roads and streets in The City of Norman, Oklahoma, including but not limited to those roads and streets listed below. The costs of the projects are based on engineering estimates, with engineering to be completed as the street and road bonds are issued and with the improvements to be made as needed. The specific projects for which at least seventy percent (70%) of the proceeds of the aforesaid street and road bonds shall be expended and the dollar amount of each such project shall be as follows:

Rural Road Improvements

Project will improve rural roads. Roadside ditches will be cleaned out and shaped to provide better drainage. Subgrade will be strengthened with crushed rock and compacted to provide support to the pavement and an asphalt surface treatment will be applied. The following rural roads are to be improved:

<b>STREET NAME</b>	<b>LIMITS</b>
<b>24th Ave NE</b>	<b>Rock Creek Rd to Franklin Rd</b>
<b>84th Ave SE</b>	<b>Post Oak Rd to Etowah Rd</b>
<b>Post Oak Rd</b>	<b>84th Ave SE to 96th Ave SE</b>
<b>144th Ave NE</b>	<b>Indian Hills Rd to Stella Rd</b>
<b>Deer Creek Rd</b>	<b>132nd Ave NE to 144th Ave NE</b>
<b>132nd Ave SE</b>	<b>Cedar Lane to Etowah Rd</b>
<b>48th Ave SE</b>	<b>Highway #9 to Post Oak Rd</b>
<b>Indian Hills Rd</b>	<b>48th Ave NE to 72nd Ave NE</b>
<b>156th Ave NE</b>	<b>Tecumseh Rd to Bethel Rd</b>
<b>48th Ave NE</b>	<b>Franklin Rd to Indian Hills Rd</b>
<b>Indian Hills Rd</b>	<b>36th Ave NE to 48th Ave NE</b>
<b>Imhoff Rd</b>	<b>156th Ave SE to 168th Ave SE</b>
<b>Lindsey St</b>	<b>144th Ave SE to east end</b>
<b>168th Ave SE</b>	<b>Imhoff Rd to south city limits</b>
<b>Cedar Lane</b>	<b>120th Ave SE to 132nd Ave SE</b>
<b>156th Ave NE</b>	<b>Highway #9 to Tecumseh Rd</b>
<b>72nd Ave NE</b>	<b>Franklin Rd to Bethel Rd</b>
<b>Cedar Lane</b>	<b>36th Ave SE to 48th Ave SE</b>
<b>Cedar Lane</b>	<b>60th Ave SE to 72nd Ave SE</b>
<b>Bethel Rd</b>	<b>96th Ave NE to .5 E of 108th NE</b>

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Tecumseh Rd</b>	<b>144th Ave NE to 156th Ave NE</b>
<b>168th Ave NE</b>	<b>Highway #9 to Alameda St</b>
<b>Alameda St</b>	<b>168th Ave SE to 180th Ave SE</b>
<b>72nd Ave SE</b>	<b>Cedar Lane to Etowah Rd</b>
<b>Indian Hills Rd</b>	<b>.5 mi w of 144th NE to 156th NE</b>
<b>Bethel Rd</b>	<b>144th Ave NE to 156th Ave NE</b>
<b>84th Ave SE</b>	<b>Highway #9 to Post Oak Rd</b>
<b>Franklin Rd</b>	<b>156th Ave NE to 180th Ave NE</b>

\$2,250,000

#### Urban Asphalt Pavement Rehabilitation

Project will improve urban streets. Streets will be deep patched, the existing asphalt wearing surface will be milled off, cracks will be sealed, and a new wearing surface added. The following streets are to be improved:

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Dover St</b>	<b>Vicksburg - Bull Run St</b>
<b>Bull Run St</b>	<b>Chamblee Dr - Chalmette Dr</b>
<b>Chalmette Dr</b>	<b>Bull Run St - Chamblee Dr</b>
<b>Chamblee Dr</b>	<b>Chalmette Dr - East 1700 Block</b>
<b>Atchison Dr</b>	<b>U.S. Hwy 77 - Topeka Dr</b>
<b>Topeka Dr</b>	<b>U.S. Hwy 77 - Atchison Dr</b>
<b>Stoney Brook Dr</b>	<b>North Interstate - Bismarc Lane</b>
<b>Regal Run Dr</b>	<b>Stoney Brook - Swan Hollow</b>
<b>Swan Hollow Dr</b>	<b>Regal Run - Stoney Brook</b>
<b>Duvall Dr</b>	<b>Stoney Brook - Dove Hollow Lane</b>
<b>Dove Hollow Lane</b>	<b>Stoney Brook - Duvall Dr</b>
<b>Dove Crossing Dr</b>	<b>North Interstate - Bismarc</b>
<b>Bismarc Lane</b>	<b>Stoney Brook - Dove Crossing Dr</b>
<b>Ridgeline Dr</b>	<b>48th Ave NW - North 3700 Block</b>
<b>Ridgeline Cir</b>	<b>Ridgeline Dr - West 4100 Block</b>
<b>Ridgeway Pl</b>	<b>Timberidge Dr - West 4700 Block</b>
<b>Timberidge Cir</b>	<b>Timberidge Dr - West 4600 Block</b>
<b>Rolling Meadow Pl</b>	<b>Ridgeline Dr - West 4200 Block</b>
<b>Brookline Pl</b>	<b>Ridgeline Dr - West 4200 Block</b>
<b>Timberidge Dr</b>	<b>Tecumseh Rd - Ridgeline Dr</b>
<b>Hillview Dr</b>	<b>Tecumseh Rd - North 3300 Block</b>



<b>STREET NAME</b>	<b>LIMITS</b>
<b>48th Ave West</b>	<b>Main St - Willow Grove</b>
<b>Vicksburg Ave</b>	<b>Alameda St - Beaumont Dr</b>
<b>Aiken Ct</b>	<b>Vicksburg Ave - East 1800 Block</b>
<b>Shelby Ct</b>	<b>East 1800 Block - East 1900 Block</b>
<b>Wilmington Ct</b>	<b>Vicksburg Ave - East 2000 Block</b>
<b>Yorktown Cir</b>	<b>Vicksburg Ave - East 1700 Block</b>
<b>Vicksburg Cir</b>	<b>Vicksburg Ave - South 300 Block</b>
<b>National Dr</b>	<b>Tecumseh Rd - U.S. Hwy 77</b>
<b>Hidden Lake Dr</b>	<b>24th Ave NW - West 2200 Block</b>
<b>Lake Front Cir</b>	<b>24th Ave NW - West 2200 Block</b>
<b>Boardwalk</b>	<b>24th Ave NW - Interstate</b>
<b>26th Ave NW</b>	<b>Tee - Westport; 600 Block</b>
<b>Wall St</b>	<b>Boardwalk - Tee Dr</b>
<b>Blue Lake Dr</b>	<b>Indian Hills Rd - 12th Ave NW</b>
<b>Spring Mill Rd</b>	<b>Indian Hills Rd - Blue Lake Dr</b>
<b>Sleepy Hollow Rd</b>	<b>Blue Lake Dr - Willow Brook Lane</b>
<b>Willow Brook Lane</b>	<b>12th Ave N.W. - Indian Hills Rd</b>
<b>Shady Lane</b>	<b>Blue Lake Dr - Spring Mill Rd</b>
<b>Comanche St</b>	<b>Porter Ave - Cook Ave</b>
<b>Eufaula St</b>	<b>Porter Ave - Carter Ave</b>
<b>Symmes St</b>	<b>Porter Ave - Reed Ave</b>
<b>Apache St</b>	<b>Porter Ave - Reed Ave</b>
<b>Linn St</b>	<b>Carter Ave - East 500 Block</b>
<b>Ponca Ave</b>	<b>Main St - Alameda St</b>
<b>Findlay Ave</b>	<b>Main St - Alameda St</b>
<b>Stewart Ave</b>	<b>Main St - Carter Ave</b>
<b>Cockrel Ave</b>	<b>Main St - Eufaula St</b>
<b>Carter Ave</b>	<b>Main St - Alameda St</b>
<b>Aniol Ave</b>	<b>Comanche St - So 100 Block</b>
<b>Reed Ave</b>	<b>Main St - Symmes St</b>
<b>David Ct</b>	<b>23rd Ave NE - East 2300 Block</b>
<b>Jackson Dr</b>	<b>24th Ave NE - Crest Dr</b>
<b>Paul Ct</b>	<b>23rd Ave NE - East 2300 Block</b>
<b>Teresa Dr</b>	<b>Jackson Dr - 22nd Ave NE</b>
<b>Helm Ct</b>	<b>23rd Ave NE - East 2300 Block</b>
<b>Jazzman Dr</b>	<b>23rd Ave NE - Kara Ct</b>
<b>Newman St</b>	<b>23rd Ave NE - 24th Ave NE</b>
<b>Summer Dr</b>	<b>Kara Ct - 22nd Ave NE</b>

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Carolyn Ct</b>	<b>23rd Ave NE - East 2300 Block</b>
<b>Morren Dr</b>	<b>Cindy Ave - Crest Pl</b>
<b>Barb Dr/Ct</b>	<b>Cindy Ave - Morren Cir</b>
<b>Vanessa Dr</b>	<b>22nd Ave NE - Crest Pl</b>
<b>23rd Ave NE</b>	<b>Carolyn Ct - Jackson Dr</b>
<b>22nd Ave NE</b>	<b>Alex Plaza - Jackson Dr</b>
<b>Cindy Ave</b>	<b>Jackson Dr - Vanessa Dr</b>
<b>Crestland Dr</b>	<b>Morren Dr - North 200 Block</b>
<b>Crest Ct</b>	<b>Vanessa Dr - Jackson Dr</b>
<b>Crest Pl</b>	<b>Vanessa Dr - Jackson Dr</b>
<b>Kansas St</b>	<b>Flood Ave - University Blvd</b>
<b>Daws St</b>	<b>Webster Ave - Flood Ave</b>
<b>Boyd St</b>	<b>Berry Rd - Wylie Rd</b>
<b>Boyd St</b>	<b>Berry Rd - Flood Ave</b>
<b>Barbour Ave</b>	<b>Nebraska St - Dakota St</b>
<b>Edinburg Dr</b>	<b>Coalbrook Dr - Ridge Bluff Dr</b>
<b>Rockingham Dr</b>	<b>Ridge Bluff Dr - Coalbrook Dr</b>
<b>Waterfront Dr</b>	<b>Coalbrook Dr - Coalbrook Dr</b>
<b>Bluff Ct</b>	<b>Rockingham Dr - North 300 Block</b>
<b>Pine Cove Ct</b>	<b>Rockingham Dr - North 300 Block</b>
<b>Devonshire Dr</b>	<b>Lochwood Dr - Sandstone</b>
<b>Sandstone Dr</b>	<b>Lochwood Dr - Devonshire Dr</b>
<b>Sandstone Cir</b>	<b>Sandstone Dr - East 2900 Block</b>
<b>Lochwood Dr</b>	<b>Alameda - North 200 Block</b>
<b>Coalbrook Dr</b>	<b>Devonshire Dr - Coach Ct</b>

\$8,250,000

Urban Concrete Pavement Rehabilitation

Project will improve urban Portland cement concrete streets and will include removal and replacement of broken, damaged, and displaced concrete panels on the urban street system, as well as joint and crack sealing. The following streets are to be improved:

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Rambling Oaks Dr</b>	<b>36th Ave West - Tall Oaks Cir</b>
<b>Starbrook Ct</b>	<b>Rambling Oaks Dr - North 500 Block</b>
<b>Bonita Cir</b>	<b>Rambling Oaks Dr - North 500 Block</b>
<b>Cheswick Ct</b>	<b>Rambling Oaks Dr - North 500 Block</b>
<b>Bent Oak Cir</b>	<b>Rambling Oaks Dr - 3100 Block</b>
<b>Tall Oaks Cir</b>	<b>Rambling Oaks Dr - 3100 Block</b>
<b>Bridgeport Rd</b>	<b>36th Ave NW - Brownwood Lane</b>
<b>Nicole Cir</b>	<b>Castlerock Rd - West 3800 Block</b>
<b>Stonehurst St</b>	<b>Castlerock Rd - Drawbridge Lane</b>
<b>Drawbridge Lane</b>	<b>Castlerock Rd - Stonehurst St</b>
<b>Knights Bridge St</b>	<b>Castlerock Rd - Wood Castle St</b>
<b>Wood Castle St</b>	<b>Castlerock Rd - Knights Bridge St</b>
<b>Buckingham Dr</b>	<b>36th Ave NW - Bridgeport Rd</b>
<b>Castlerock Rd</b>	<b>Tecumseh Rd - Brownwood Lane</b>
<b>Nicole Pl</b>	<b>Castlerock Rd - North 4100 Block</b>
<b>Wellington Pl</b>	<b>Buckingham Dr - North 3900 Block</b>
<b>Brownwood Lane</b>	<b>Bridgeport Rd - 36th Ave N.W.</b>
<b>Worthington Dr</b>	<b>Bridgeport Rd - Buckingham Dr</b>
<b>Pleasant Grove</b>	<b>Bridgeport Rd - Buckingham Dr</b>
<b>Milford Pl</b>	<b>Bridgeport Rd - North 4000 Block</b>
<b>Moor Dr</b>	<b>Nicole Pl - Castlerock Rd</b>
<b>Brunswick Lane</b>	<b>Brownwood Lane - West 3900 Block</b>
<b>Brookhaven Blvd</b>	<b>Robinson St - North to Danfield Lane</b>
<b>Braden Dr</b>	<b>Bellwood Dr - Glenbrook Dr</b>
<b>Pembroke Dr</b>	<b>Burlington Dr - Barwick Dr</b>
<b>Barwick Dr</b>	<b>Brookhaven Blvd - Pembroke Dr</b>
<b>Devon Ct</b>	<b>N 1700 Block - Barwick Dr</b>
<b>Warwick Ct</b>	<b>South to Brookhaven Blvd</b>
<b>Waverly Ct</b>	<b>South to Brookhaven Blvd</b>
<b>Bellwood Dr</b>	<b>Bristol Dr - Braden Dr</b>
<b>Glenbrook Dr</b>	<b>Brookhaven Blvd - Braden Dr</b>

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Burlington Dr</b>	<b>Brookhaven Blvd - 36th Ave NW</b>
<b>Windover Dr</b>	<b>Barwick Dr - Pembroke Dr</b>
<b>Barwick Ct</b>	<b>Barwick Dr - Pembroke Dr</b>
<b>Danfield Dr</b>	<b>Northridge Rd - Danfield Lane</b>
<b>Danfield Lane</b>	<b>Brookhaven Blvd - Danfield Dr</b>
<b>Evesham Ct</b>	<b>Danfield Dr - West 3900 Block</b>
<b>Stoneleigh Pl</b>	<b>Danfield Dr - West 3900 Block</b>
<b>Calais Ct</b>	<b>Danfield Dr - West 3700 Block</b>
<b>Wyndam Pl</b>	<b>Danfield Dr - West 3800 Block</b>
<b>Hidden Hill Rd</b>	<b>Winding Ridge Rd - 36th Ave NW</b>
<b>Windermere Dr</b>	<b>Hidden Hill Rd - North 1900 Block</b>
<b>Banbury Ct</b>	<b>Hidden Hill Rd - North 1900 Block</b>
<b>Alderbrook St</b>	<b>Hidden Hill Rd - North 1900 Block</b>
<b>Guilford Ct</b>	<b>Hidden Hill Rd - North 1900 Block</b>
<b>Abbotsford Lane</b>	<b>Guilford Lane - Guilford Lane</b>
<b>Rosebrook</b>	<b>Brookhaven Blvd - North 1900 Block</b>
<b>Wyckham Pl</b>	<b>Brookhaven Blvd - North 2100 Block</b>
<b>Northhampton Dr</b>	<b>Brookhaven Blvd - Grandview Ave</b>
<b>Northhampton Ct</b>	<b>Grandview Ave - West 4200 Block</b>
<b>Grandview Ave</b>	<b>Pebblecreek Rd - North 1900 Block</b>
<b>Hillside Dr</b>	<b>Grandview Ave - West 4300 Block</b>
<b>Pebblecreek Rd</b>	<b>Grandview Ave - West 4100 Block</b>
<b>Brookfield Dr</b>	<b>Trophy Dr - Grandview Ave</b>
<b>Trophy Dr</b>	<b>Brookfield Dr - Brookfield Dr</b>
<b>Bristol Dr</b>	<b>Bellwood Cir - Brookhaven Blvd</b>
<b>Burlington Pl</b>	<b>Brookhaven Blvd - South 1300 Block</b>
<b>Bingham Pl</b>	<b>Brookhaven Blvd - South 1300 Block</b>
<b>Brookdale Dr</b>	<b>Robinson Street - North to Brookhaven Blvd</b>
<b>Stratford Lane</b>	<b>Brookdale Dr - West 3900 Block</b>
<b>Coventry Lane</b>	<b>Brookdale Dr - West 3900 Block</b>
<b>Briarcrest Dr</b>	<b>Broad Acres Dr - East to Brookdale Dr</b>
<b>Waverly Dr</b>	<b>Warwick Dr East to Brookhaven Blvd</b>
<b>Warwick Dr</b>	<b>Waverly Dr East to Brookhaven Blvd</b>
<b>Oxford Way</b>	<b>Winding Ridge Rd East to Brookhaven Blvd</b>
<b>Northridge Rd</b>	<b>Winding Ridge Rd East to Danfield Dr</b>
<b>Charing Cross Ct</b>	<b>Brookhaven Blvd - North 2200 Block</b>
<b>Valley Ridge Rd</b>	<b>Briarcrest Dr North to Hidden Hill Rd</b>
<b>Valley Vista</b>	<b>Valley Ridge Rd - West 4200 Block</b>
<b>Brookview</b>	<b>Valley Ridge Rd - West 4200 Block</b>

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Balmoral Ct</b>	<b>Winding Ridge - West 4400 Block</b>
<b>Saint Andrews Ct</b>	<b>Winding Ridge - West 4400 Block</b>
<b>Winding Ridge Rd</b>	<b>Briarcrest Dr - Hidden Hill Rd</b>
<b>Cedar Hill Rd</b>	<b>Northridge Rd - Hidden Hill Rd</b>
<b>Winding Ridge Cir</b>	<b>Winding Ridge Rd - West 4400 Block</b>
<b>Green View Cir</b>	<b>Winding Ridge Rd - West 4400 Block</b>
<b>Broad Acres Dr</b>	<b>Robinson Street - Northridge Rd</b>
<b>Beckett Ct</b>	<b>Broad Acres Dr - West 4500 Block</b>
<b>Briarcrest Cir</b>	<b>Briarcrest Dr - North 1300 Block</b>
<b>Alexander Ct</b>	<b>Broad Acres Dr - West 4400 Block</b>
<b>Greenfield Cir</b>	<b>Broad Acres Dr - West 4500 Block</b>
<b>Polo Ridge Cir</b>	<b>Broad Acres Dr - West 4500 Block</b>
<b>Chukkar Ct</b>	<b>Northridge Rd - W 4500 Block</b>
<b>Boyd St</b>	<b>Classen Blvd - 12th Ave East</b>
<b>Main St</b>	<b>Park Dr - 48th Ave West</b>
<b>36th Ave West</b>	<b>Main St - Willowbend Rd</b>
<b>Whippoorwill</b>	<b>Oakhurst Ave - Elmhurst Dr</b>
<b>Allenhurst St</b>	<b>Oakhurst Ave - Amhurst Ave</b>
<b>Oakhurst Cir</b>	<b>Oakhurst Ave - E 1900 Block</b>
<b>Elmhurst Dr</b>	<b>Whippoorwill Dr - Amhurst Ave</b>
<b>Amhurst Ave</b>	<b>Allenhurst St - South 1400 Block</b>
<b>Ridgewood Dr</b>	<b>Oakhurst Ave - Oakcliff Rd</b>
<b>Lakehurst Dr</b>	<b>Oakhurst Ave - Oakcliff Rd</b>
<b>Oakcliff Rd</b>	<b>Lakehurst Ave - Burnt Oak Dr</b>
<b>Oakcrest Ave</b>	<b>Oakhurst Ave - Elmhurst Dr</b>
<b>Rollingstone Dr</b>	<b>Oakhurst Ave - South 1600 Block</b>
<b>Rollingstone Cir</b>	<b>Oakhurst Ave - West 1900 Block</b>
<b>Twisted Oak Dr</b>	<b>Oakhurst Ave - East 1800 Block</b>
<b>Twisted Oak Cir</b>	<b>Twisted Oak Dr - South 2000 Block</b>
<b>Flood Ave</b>	<b>Main St - Gray St</b>
<b>26th Ave N.W.</b>	<b>Hemphill Dr - North 600 Block</b>
<b>Hemphill Dr</b>	<b>24th Ave N.W. - 26th Ave N.W.</b>
<b>Fairway Ct</b>	<b>24th Ave N.W. - Fairway Dr</b>
<b>Comanche St</b>	<b>Porter Ave - Peters Ave</b>
<b>Comanche St</b>	<b>Lahoma Ave - Chautauqua</b>
<b>Pickard Ave</b>	<b>Timberdell Rd - Elmwood Dr</b>
<b>Pickard Ave</b>	<b>Imhoff Rd - Lakewood Dr</b>
<b>Green Hills Dr/Ct</b>	<b>Kingsbury Dr - West 3900 Block</b>

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Morain Ct</b>	<b>Cherry Creek Dr - West 4000 Block</b>
<b>Preston Ct</b>	<b>Cherry Creek Dr - West 3900 Block</b>
<b>Knob Hill Cir</b>	<b>Cherry Creek Dr - South 200 Block</b>
<b>Knob Hill Ct</b>	<b>Cherry Creek Dr - West 3900 Block</b>
<b>Pine Tree Cir</b>	<b>Cherry Creek Dr - West 3900 Block</b>
<b>Beechwood Dr</b>	<b>Cherry Creek Dr - Kingsbury Dr</b>
<b>Durango Cir</b>	<b>Cherry Creek Dr - West 3900 Block</b>
<b>Silverton Cir</b>	<b>Cherry Creek Dr - West 4100 Block</b>
<b>Orchard Lane</b>	<b>Cherry Creek Dr - Alpine Dr</b>
<b>Hughes Cir</b>	<b>Cherry Creek Dr - West 4100 Block</b>
<b>Western View Dr</b>	<b>Cherry Creek Dr - 36th Ave S.W.</b>
<b>Morrison Ct</b>	<b>Stone Well Dr/Cr - E 3900 Block</b>
<b>Morrison Cir</b>	<b>Stone Well Dr - E 4100 Block</b>
<b>Kingsbury Dr</b>	<b>Beechwood Dr - Green Hills Dr</b>
<b>Cherry Creek Dr</b>	<b>Main St - Western View Dr</b>
<b>Stone Well Dr</b>	<b>South 300 Block - South 500 Block</b>
<b>Pine Tree Lane</b>	<b>Cherry Creek Dr - Green Hills Dr</b>
<b>Alpine Cir</b>	<b>Orchard Lane - South 500 Block</b>
<b>Boulder Ct</b>	<b>South 300 Block - South 500 Block</b>
<b>Garland Ct</b>	<b>South 300 Block - South 500 Block</b>
<b>Trinidad Ct</b>	<b>Midland Dr - Midland Dr</b>
<b>Midland Dr</b>	<b>Trinidad Dr - Trinidad Dr</b>
<b>Creekdale Dr</b>	<b>Main St - North 200 Block</b>
<b>Quail Run Cir</b>	<b>Creekdale Dr - West 3800 Block</b>
<b>Belhaven Cir</b>	<b>Creekdale Dr - West 3800 Block</b>
<b>Lynnbrook Cir</b>	<b>Creekdale Dr - West 3800 Block</b>
<b>Brooks St</b>	<b>24th Ave S.W. - McGee Dr</b>
<b>Garrison Dr</b>	<b>Boyd St - Melrose Dr</b>
<b>Hal Muldrow Dr</b>	<b>Main St - Melrose Dr</b>
<b>Melrose Dr</b>	<b>Hal Muldrow Dr - Rosedale Dr</b>
<b>Melrose Ct</b>	<b>Hal Muldrow Dr - West 2100 Block</b>
<b>Sherry Ave</b>	<b>Main St - Melrose Dr</b>
<b>Mercedes Dr</b>	<b>Main St - Melrose Dr</b>
<b>Thompson Dr</b>	<b>Main St - Melrose Dr</b>
<b>Collier Dr</b>	<b>Main St - Melrose Dr</b>
<b>Jansing</b>	<b>Thompson Dr - Garrison Dr</b>
<b>Garrison Dr</b>	<b>Melrose Dr - Jansing</b>
<b>Sunset Dr</b>	<b>Gatewood - Sherry Ave</b>
<b>Ann Arbor Dr</b>	<b>Sherry - Berry Rd</b>

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Melrose Dr</b>	<b>Sherry - Berry Rd</b>
<b>Huntington Way</b>	<b>Rosedale Dr - Berry Rd</b>
<b>Camden Way</b>	<b>Garrison Dr - Berry Rd</b>
<b>Westlawn Dr</b>	<b>Wylie Rd - Berry Rd</b>
<b>Windsor Way</b>	<b>Wylie Rd - Berry Rd</b>
<b>Westchester Ave</b>	<b>Sunset - Main St</b>
<b>Rosedale Dr</b>	<b>Melrose Dr - Boyd St</b>
<b>Lenox Dr</b>	<b>McGee Dr - Rosedale Dr</b>
<b>McGee Dr</b>	<b>Boyd St - Lenox Dr</b>
<b>Leslie Lane</b>	<b>Berry Rd - Cruce St</b>
<b>Cruce St</b>	<b>Berry Rd - McGee Dr</b>
<b>Caddell Lane</b>	<b>Berry Rd - McGee Dr</b>
<b>Brooks St</b>	<b>Berry Rd - Wylie Rd</b>
<b>Avondale Dr</b>	<b>Berry Rd - McGee Dr</b>
<b>Oakwood Dr</b>	<b>McGee Dr - Lindale Dr</b>
<b>Lindale Ave</b>	<b>Wylie Rd - Avondale Dr</b>
<b>Lancaster Cir</b>	<b>McGee Dr - West 1600 Block</b>
<b>Greenbriar Dr</b>	<b>Berry Rd - Smoking Oak Rd</b>
<b>Greenbriar Ct</b>	<b>Berry Rd - West 1200 Block</b>
<b>Cherry Laurel Dr</b>	<b>Berry Rd - Cypress Ave</b>
<b>Hawthorne Ct</b>	<b>Hollywood Ave - West 1600 Block</b>
<b>Spruce Dr</b>	<b>Cypress Ave - Linden Ave</b>
<b>Smoking Oak Ct</b>	<b>Smoking Oak Rd - West 1700 Block</b>
<b>Smoking Oak Pl</b>	<b>Smoking Oak Rd - West 1700 Block</b>
<b>Chestnut Lane</b>	<b>Smoking Oak Rd - Hollywood Ave</b>
<b>Locust St</b>	<b>Cypress Ave - Hollywood Ave</b>
<b>Sycamore St</b>	<b>Cypress Ave - Acacia Ct</b>
<b>Holly Cir</b>	<b>Hollywood Ave - West 1600 Block</b>
<b>Magnolia St</b>	<b>Berry Rd - West 1500 Block</b>
<b>Smoking Oak Rd</b>	<b>McGee Dr - South 2600 Block</b>
<b>Hollywood Ave</b>	<b>Westbrooke Ter - Holly Cir</b>
<b>Cypress Ave</b>	<b>Greenbriar Dr - Magnolia St</b>
<b>Boxwood Ave</b>	<b>Sycamore - Spruce Dr</b>
<b>Linden Ave</b>	<b>Sycamore - Spruce Dr</b>
<b>Acacia Ct</b>	<b>Magnolia - South 2500 Block</b>
<b>Poplar Lane</b>	<b>Imhoff Rd - Magnolia St</b>
<b>Aspen Lane</b>	<b>Poplar Lane - Magnolia St</b>
<b>Aspen Cir</b>	<b>Aspen Lane - South 2700 Block</b>

\$4,500,000

Road Reconstruction

Project will completely reconstruct urban streets and will include removal of existing pavement, curb and/or gutter, stabilization of subgrade, construction of new curb and/or gutter and driveway approaches, full depth paving, and drainage improvements, if required. The following streets are to be improved:

<b>STREET NAME</b>	<b>LIMITS OR SUBDIVISION</b>
<b>Hayes St</b>	<b>Flood Ave - James Garner Ave</b>
<b>Mosier St</b>	<b>Flood Ave - James Garner Ave</b>
<b>Himes St</b>	<b>Flood Ave - James Garner Ave</b>
<b>Johnson St</b>	<b>Flood Ave - James Garner Ave</b>
<b>Iowa St</b>	<b>Berry Rd - Barbour Ave</b>
<b>Mosier St</b>	<b>Cockrel Ave - Carter Ave</b>
<b>Nebraska St</b>	<b>University Blvd - Flood Ave</b>
<b>Iowa St</b>	<b>Berry Rd - Pickard Ave</b>
<b>Iowa St</b>	<b>Flood Ave - University Blvd</b>
<b>Dakota St</b>	<b>Berry Rd - University Blvd</b>

\$4,000,000

Total Street and Road Projects

\$19,000,000



**(Proposition No. 2)**  
**Outdoor Warning Siren Project**

The specific projects for which at least seventy percent (70%) of the proceeds of the outdoor warning siren bonds shall be expended and the dollar amounts of each such project shall be as follows:

Outdoor Warning Siren Project

Project will consist of improving The City of Norman, Oklahoma outdoor warning siren system made up of the following components:

Acquisition costs of new warning sirens	\$1,740,000
Land acquisition	\$100,000
Control station hardware and software	\$55,500
Modification and relocation of existing sirens	\$170,000
Contingency	\$184,500
Total Outdoor Warning Siren Project	\$2,250,000

Section 3. That such call for said election shall be by proclamation, signed by the Mayor or Mayor Pro Tempore and attested by the City Clerk, setting forth the propositions to be voted upon, a statement regarding the specific projects for which the proceeds of each of the aforesaid Bonds shall be expended and the dollar amount to be expended on such projects; that the ballots shall set forth the propositions to be voted upon substantially as set out in Section 1 hereof; and that the returns of said election shall be made to and canvassed by the Cleveland County Election Board.

Section 4. That the number and location of the polling places and the persons who shall conduct the election shall be the same as the regular polling places and persons prescribed and selected by the Cleveland County Election Board, for elections in The City of Norman, Oklahoma.

Section 5. That the Special Election Proclamation and Notice of even date, a copy of which is on file with the City Clerk and which is incorporated herein by reference, calling said election is hereby approved in all respects, and the Mayor or Mayor Pro Tempore is hereby authorized to execute said Special Election Proclamation and Notice on behalf of the City, and the City Clerk is hereby authorized to attest and affix the seal of the City to said Special Election Proclamation and Notice, and to cause a copy of said Special Election Proclamation and Notice

Ordinance No. 0-0910-16

to be published as required by law, and a copy thereof delivered to the Cleveland County Election Board.

Section 6. That the City Clerk shall serve or cause to be served, a copy of this Ordinance and the Special Election Proclamation and Notice upon the office of the Cleveland County Election Board, at least sixty (60) days prior to the date of the election.

[Remainder of Page Intentionally Left Blank]

Ordinance No. 0-0910-16

PASSED AND ADOPTED AND SIGNED BY THE MAYOR THIS 22<sup>ND</sup> DAY OF  
DECEMBER, 2009.

THE CITY OF NORMAN, OKLAHOMA

(SEAL)

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Ordinance No. 0-0910-16

STATE OF OKLAHOMA     )  
  ) SS  
COUNTY OF CLEVELAND)

I, the undersigned, the duly qualified and acting Clerk of The City of Norman, Oklahoma hereby certify that the foregoing is a true and complete copy of an Ordinance authorizing the calling and holding of an election for the purpose therein set out adopted by the governing body of said municipality and Transcript of Proceedings of said governing body at a regular meeting thereof held on the date therein set out, insofar as the same relates to the introduction, reading and adoption thereof as the same appears of record in my office.

I further certify that attached hereto is a true and complete copy of the public notice posted at the Municipal Building Council Chambers, 201 W. Gray, Norman, Oklahoma, in said municipality at least twenty-four (24) hours prior to the meeting wherein said Ordinance was adopted, excluding Saturdays, Sundays and State designated legal holidays.

WITNESS my hand and the seal of said City this 22<sup>nd</sup> day of December, 2009.

(SEAL)

\_\_\_\_\_  
City Clerk

## SPECIAL ELECTION PROCLAMATION AND NOTICE

Under and by virtue of Section 27, Article 10 of the Oklahoma Constitution and the statutes of the State of Oklahoma and Acts complementary, supplementary and enacted pursuant thereto, and Ordinance No. O-0910-16 dated December 22, 2009, authorizing the calling of an election on the propositions hereinafter set forth, I, the undersigned Mayor of The City of Norman, Oklahoma, hereby call a special election and give notice thereof to be held in The City of Norman, Oklahoma, on the 2<sup>nd</sup> day of March, 2010, for the purpose of submitting to the registered, qualified voters in said City the following propositions:

### PROPOSITION NO. 1

"SHALL THE CITY OF NORMAN, STATE OF OKLAHOMA, INCUR AN INDEBTEDNESS BY ISSUING ITS BONDS IN THE SUM OF NINETEEN MILLION DOLLARS (\$19,000,000) TO PROVIDE FUNDS FOR THE PURPOSE OF RECONSTRUCTING, REPAIRING, IMPROVING, AND REHABILITATING EXISTING STREETS, ROADS, AND INTERSECTIONS IN THE CITY OF NORMAN, OKLAHOMA (INCLUDING LIGHTING, SIDEWALKS/BIKEPATHS, LANDSCAPING, RELATED DRAINAGE IMPROVEMENTS, DRIVEWAY RECONSTRUCTION, AND OTHER RELATED IMPROVEMENTS); AND LEVY AND COLLECT AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AS IT FALLS DUE, AND ALSO TO CONSTITUTE A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL THEREOF WHEN DUE, SAID BONDS TO BEAR INTEREST AT NOT TO EXCEED THE RATE OF TEN PERCENTUM (10%) PER ANNUM, PAYABLE SEMI-ANNUALLY AND TO BECOME DUE SERIALY WITHIN FIVE (5) YEARS FROM THEIR DATE?"

- ☐ FOR THE ABOVE PROPOSITION
- ☐ AGAINST THE ABOVE PROPOSITION

### PROPOSITION NO. 2

"SHALL THE CITY OF NORMAN, STATE OF OKLAHOMA, INCUR AN INDEBTEDNESS BY ISSUING ITS BONDS IN THE SUM OF TWO MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$2,250,000) TO PROVIDE FUNDS FOR THE PURPOSE OF IMPROVING THE CITY OUTDOOR WARNING SIREN SYSTEM IN THE CITY OF NORMAN, OKLAHOMA, BY ACQUIRING NEW WARNING SIRENS AND CONTROL STATION HARDWARE AND SOFTWARE, BY ACQUIRING LAND FOR WARNING SIRENS, AND BY MODIFYING AND RELOCATING CERTAIN OF THE EXISTING WARNING SIRENS, ALL TO BE OWNED EXCLUSIVELY BY SAID CITY; AND LEVY AND COLLECT AN ANNUAL

TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY SUFFICIENT TO PAY THE INTEREST ON SAID BONDS AS IT FALLS DUE, AND ALSO TO CONSTITUTE A SINKING FUND FOR THE PAYMENT OF THE PRINCIPAL THEREOF WHEN DUE, SAID BONDS TO BEAR INTEREST AT NOT TO EXCEED THE RATE OF TEN PERCENTUM (10%) PER ANNUM, PAYABLE SEMI-ANNUALLY AND TO BECOME DUE SERIALY WITHIN FIVE (5) YEARS FROM THEIR DATE?"

- ☐ FOR THE ABOVE PROPOSITION
- ☐ AGAINST THE ABOVE PROPOSITION

### DESCRIPTION OF PROJECTS AND USE OF PROCEEDS

#### **(Proposition No. 1) Street and Road Project**

The rural road improvements, the urban asphalt pavement rehabilitation, the urban concrete pavement rehabilitation, and the roadway reconstruction, all represent improvements to roads and streets in The City of Norman, Oklahoma, including but not limited to those roads and streets listed below. The costs of the projects are based on engineering estimates, with engineering to be completed as the street and road bonds are issued and with the improvements to be made as needed. The specific projects for which at least seventy percent (70%) of the proceeds of the aforesaid street and road bonds shall be expended and the dollar amount of each such project shall be as follows:

#### Rural Road Improvements

Project will improve rural roads. Roadside ditches will be cleaned out and shaped to provide better drainage. Subgrade will be strengthened with crushed rock and compacted to provide support to the pavement and an asphalt surface treatment will be applied. The following rural roads are to be improved:

<b>STREET NAME</b>	<b>LIMITS</b>
<b>24th Ave NE</b>	<b>Rock Creek Rd to Franklin Rd</b>
<b>84th Ave SE</b>	<b>Post Oak Rd to Etowah Rd</b>
<b>Post Oak Rd</b>	<b>84th Ave SE to 96th Ave SE</b>
<b>144th Ave NE</b>	<b>Indian Hills Rd to Stella Rd</b>
<b>Deer Creek Rd</b>	<b>132nd Ave NE to 144th Ave NE</b>
<b>132nd Ave SE</b>	<b>Cedar Lane to Etowah Rd</b>
<b>48th Ave SE</b>	<b>Highway #9 to Post Oak Rd</b>

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Indian Hills Rd</b>	<b>48th Ave NE to 72nd Ave NE</b>
<b>156th Ave NE</b>	<b>Tecumseh Rd to Bethel Rd</b>
<b>48th Ave NE</b>	<b>Franklin Rd to Indian Hills Rd</b>
<b>Indian Hills Rd</b>	<b>36th Ave NE to 48th Ave NE</b>
<b>Imhoff Rd</b>	<b>156th Ave SE to 168th Ave SE</b>
<b>Lindsey St</b>	<b>144th Ave SE to east end</b>
<b>168th Ave SE</b>	<b>Imhoff Rd to south city limits</b>
<b>Cedar Lane</b>	<b>120th Ave SE to 132nd Ave SE</b>
<b>156th Ave NE</b>	<b>Highway #9 to Tecumseh Rd</b>
<b>72nd Ave NE</b>	<b>Franklin Rd to Bethel Rd</b>
<b>Cedar Lane</b>	<b>36th Ave SE to 48th Ave SE</b>
<b>Cedar Lane</b>	<b>60th Ave SE to 72nd Ave SE</b>
<b>Bethel Rd</b>	<b>96th Ave NE to .5 E of 108th NE</b>
<b>Tecumseh Rd</b>	<b>144th Ave NE to 156th Ave NE</b>
<b>168th Ave NE</b>	<b>Highway #9 to Alameda St</b>
<b>Alameda St</b>	<b>168th Ave SE to 180th Ave SE</b>
<b>72nd Ave SE</b>	<b>Cedar Ln to Etowah Rd</b>
<b>Indian Hills Rd</b>	<b>.5 mi w of 144th NE to 156th NE</b>
<b>Bethel Rd</b>	<b>144th Ave NE to 156th Ave NE</b>
<b>84th Ave SE</b>	<b>Highway #9 to Post Oak Rd</b>
<b>Franklin Rd</b>	<b>156th Ave NE to 180th Ave NE</b>

\$2,250,000

### Urban Asphalt Pavement Rehabilitation

Project will improve urban streets. Streets will be deep patched, the existing asphalt wearing surface will be milled off, cracks will be sealed, and a new wearing surface added. The following streets are to be improved:

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Dover St</b>	<b>Vicksburg - Bull Run</b>
<b>Bull Run St</b>	<b>Chamblee Dr - Chalmette Dr</b>
<b>Chalmette Dr</b>	<b>Bull Run St - Chamblee Dr</b>
<b>Chamblee Dr</b>	<b>Chalmette Dr - East 1700 Block</b>
<b>Atchison Dr</b>	<b>U.S. Hwy 77 - Topeka Dr</b>
<b>Topeka Dr</b>	<b>U.S. Hwy 77 - Atchison Dr</b>
<b>Stoney Brook Dr</b>	<b>North Interstate - Bismarc Lane</b>
<b>Regal Run Dr</b>	<b>Stoney Brook - Swan Hollow</b>
<b>Swan Hollow Dr</b>	<b>Regal Run - Stoney Brook</b>
<b>Duvall Dr</b>	<b>Stoney Brook - Dove Hollow Lane</b>
<b>Dove Hollow Lane</b>	<b>Stoney Brook - Duvall Dr</b>

<b>STREET NAME</b>	<b>LIMITS</b>
<b>Dove Crossing Dr</b>	<b>North Interstate - Bismarc</b>
<b>Bismarc Lane</b>	<b>Stoney Brook - Dove Crossing Dr</b>
<b>Ridgeline Dr</b>	<b>48th Ave N.W. - North 3700 Block</b>
<b>Ridgeline Cir</b>	<b>Ridgeline Dr - West 4100 Block</b>
<b>Ridgeway Pl</b>	<b>Timberidge Dr - West 4700 Block</b>
<b>Timberidge Cir</b>	<b>Timberidge Dr - West 4600 Block</b>
<b>Rolling Meadow Pl</b>	<b>Ridgeline Dr - West 4200 Block</b>
<b>Brookline Pl</b>	<b>Ridgeline Dr - West 4200 Block</b>
<b>Timberidge Dr</b>	<b>Tecumseh Rd - Ridgeline Dr</b>
<b>Hillview Dr</b>	<b>Tecumseh Rd - North 3300 Block</b>
<b>48th Ave West</b>	<b>Main St - Willow Grove</b>
<b>Vicksburg Ave</b>	<b>Alameda St - Beaumont Dr</b>
<b>Aiken Ct</b>	<b>Vicksburg Ave - East 1800 Block</b>
<b>Shelby Ct</b>	<b>East 1800 Block - East 1900 Block</b>
<b>Wilmington Ct</b>	<b>Vicksburg Ave - East 2000 Block</b>
<b>Yorktown Cir</b>	<b>Vicksburg Ave - East 1700 Block</b>
<b>Vicksburg Cir</b>	<b>Vicksburg Ave - South 300 Block</b>
<b>National Dr</b>	<b>Tecumseh Rd - U.S. Hwy 77</b>
<b>Hidden Lake Dr</b>	<b>24th Ave NW - West 2200 Block</b>
<b>Lake Front Cir</b>	<b>24th Ave NW - West 2200 Block</b>
<b>Boardwalk</b>	<b>24th Ave NW - Interstate</b>
<b>26th Ave NW</b>	<b>Tee - Westport; 600 Block</b>
<b>Wall St</b>	<b>Boardwalk - Tee Dr</b>
<b>Blue Lake Dr</b>	<b>Indian Hills Rd - 12th Ave NW</b>
<b>Spring Mill Rd</b>	<b>Indian Hills Rd - Blue Lake Dr</b>
<b>Sleepy Hollow Rd</b>	<b>Blue Lake Dr - Willow Brook Lane</b>
<b>Willow Brook Lane</b>	<b>12th Ave N.W. - Indian Hills Rd</b>
<b>Shady Lane</b>	<b>Blue Lake Dr - Spring Mill Rd</b>
<b>Comanche St</b>	<b>Porter Ave - Cook Ave</b>
<b>Eufaula St</b>	<b>Porter Ave - Carter Ave</b>
<b>Symmes St</b>	<b>Porter Ave - Reed Ave</b>
<b>Apache St</b>	<b>Porter Ave - Reed Ave</b>
<b>Linn St</b>	<b>Carter Ave - East 500 Block</b>
<b>Ponca Ave</b>	<b>Main - Alameda St</b>
<b>Findlay Ave</b>	<b>Main - Alameda St</b>
<b>Stewart Ave</b>	<b>Main St - Carter Ave</b>
<b>Cockrel Ave</b>	<b>Main St - Eufaula St</b>
<b>Carter Ave</b>	<b>Main St - Alameda St</b>



<b>STREET NAME</b>	<b>LIMITS OR SUBDIVISION</b>
<b>Aniol Ave</b>	<b>Comanche St - So 100 Block</b>
<b>Reed Ave</b>	<b>Main St - Symmes St</b>
<b>David Ct</b>	<b>23rd Ave NE - East 2300 Block</b>
<b>Jackson Dr</b>	<b>24th Ave NE - Crest Dr</b>
<b>Paul Ct</b>	<b>23rd Ave NE - East 2300 Block</b>
<b>Teresa Dr</b>	<b>Jackson Dr - 22nd Ave NE</b>
<b>Helm Ct</b>	<b>23rd Ave NE - East 2300 Block</b>
<b>Jazzman Dr</b>	<b>23rd Ave NE - Kara Ct</b>
<b>Newman St</b>	<b>23rd Ave NE - 24th Ave NE</b>
<b>Summer Dr</b>	<b>Kara Ct - 22nd Ave NE</b>
<b>Carolyn Ct</b>	<b>23rd Ave NE - East 2300 Block</b>
<b>Morren Dr</b>	<b>Cindy Ave - Crest Pl</b>
<b>Barb Dr/Ct</b>	<b>Cindy Ave - Morren Cir</b>
<b>Vanessa Dr</b>	<b>22nd Ave NE - Crest Pl</b>
<b>23rd Ave NE</b>	<b>Carolyn Ct - Jackson Dr</b>
<b>22nd Ave NE</b>	<b>Alex Plaza - Jackson Dr</b>
<b>Cindy Ave</b>	<b>Jackson Dr - Vanessa Dr</b>
<b>Crestland Dr</b>	<b>Morren - North 200 Block</b>
<b>Crest Ct</b>	<b>Vanessa Dr - Jackson Dr</b>
<b>Crest Pl</b>	<b>Vanessa Dr - Jackson Dr</b>
<b>Kansas St</b>	<b>Flood Ave - University Blvd</b>
<b>Daws St</b>	<b>Webster Ave - Flood Ave</b>
<b>Boyd St</b>	<b>Berry Rd - Wylie Rd</b>
<b>Boyd St</b>	<b>Berry Rd - Flood Ave</b>
<b>Barbour Ave</b>	<b>Nebraska St - Dakota St</b>
<b>Edinburg Dr</b>	<b>Coalbrook Dr - Ridge Bluff Dr</b>
<b>Rockingham Dr</b>	<b>Ridge Bluff Dr - Coalbrook Dr</b>
<b>Waterfront Dr</b>	<b>Coalbrook Dr - Coalbrook Dr</b>
<b>Bluff Ct</b>	<b>Rockingham Dr - North 300 Block</b>
<b>Pine Cove Ct</b>	<b>Rockingham Dr - North 300 Block</b>
<b>Devonshire Dr</b>	<b>Lochwood Dr - Sandstone</b>
<b>Sandstone Dr</b>	<b>Lochwood Dr - Devonshire Dr</b>
<b>Sandstone Cir</b>	<b>Sandstone Dr - East 2900 Block</b>
<b>Lochwood Dr</b>	<b>Alameda - North 200 Block</b>
<b>Coalbrook Dr</b>	<b>Devonshire Dr - Coach Ct</b>

\$8,250,000

Urban Concrete Pavement Rehabilitation

Project will improve urban Portland cement concrete streets and will include removal and replacement of broken, damaged, and displaced concrete panels on the urban street system, as well as joint and crack sealing. The following streets are to be improved:

<b>STREET NAME</b>	<b>LIMITS OR SUBDIVISION</b>
<b>Rambling Oaks Dr</b>	<b>36th Ave West - Tall Oaks Cir</b>
<b>Starbrook Ct</b>	<b>Rambling Oaks Dr - North 500 Block</b>
<b>Bonita Cir</b>	<b>Rambling Oaks Dr - North 500 Block</b>
<b>Cheswick Ct</b>	<b>Rambling Oaks Dr - North 500 Block</b>
<b>Bent Oak Cir</b>	<b>Rambling Oaks Dr - 3100 Block</b>
<b>Tall Oaks Cir</b>	<b>Rambling Oaks Dr - 3100 Block</b>
<b>Bridgeport Rd</b>	<b>36th Ave NW - Brownwood Lane</b>
<b>Nicole Cir</b>	<b>Castlerock Rd - West 3800 Block</b>
<b>Stonehurst St</b>	<b>Castlerock Rd - Drawbridge Lane</b>
<b>Drawbridge Lane</b>	<b>Castlerock Rd - Stonehurst St</b>
<b>Knights Bridge St</b>	<b>Castlerock Rd - Wood Castle St</b>
<b>Wood Castle St</b>	<b>Castlerock Rd - Knights Bridge St</b>
<b>Buckingham Dr</b>	<b>36th Ave NW - Bridgeport Rd</b>
<b>Castlerock Rd</b>	<b>Tecumseh Rd - Brownwood Lane</b>
<b>Nicole Pl</b>	<b>Castlerock Rd - North 4100 Block</b>
<b>Wellington Pl</b>	<b>Buckingham Dr - North 3900 Block</b>
<b>Brownwood Lane</b>	<b>Bridgeport Rd - 36th Ave NW</b>
<b>Worthington Dr</b>	<b>Bridgeport Rd - Buckingham Dr</b>
<b>Pleasant Grove</b>	<b>Bridgeport Rd - Buckingham Dr</b>
<b>Milford Pl</b>	<b>Bridgeport Rd - North 4000 Block</b>
<b>Moor Dr</b>	<b>Nicole Pl - Castlerock Rd</b>
<b>Brunswick Lane</b>	<b>Brownwood Lane - West 3900 Block</b>
<b>Brookhaven Blvd</b>	<b>Robinson St - North to Danfield Lane</b>
<b>Braden Dr</b>	<b>Bellwood Dr - Glenbrook Dr</b>
<b>Pembroke Dr</b>	<b>Burlington Dr - Barwick Dr</b>
<b>Barwick Dr</b>	<b>Brookhaven Blvd - Pembroke Dr</b>
<b>Devon Ct</b>	<b>N 1700 Block - Barwick Dr</b>
<b>Warwick Ct</b>	<b>South to Brookhaven Blvd</b>
<b>Waverly Ct</b>	<b>South to Brookhaven Blvd</b>
<b>Bellwood Dr</b>	<b>Bristol Dr - Braden Dr</b>
<b>Glenbrook Dr</b>	<b>Brookhaven Blvd - Braden Dr</b>
<b>Burlington Dr</b>	<b>Brookhaven Blvd - 36th Ave NW</b>

<b>STREET NAME</b>	<b>LIMITS OR SUBDIVISION</b>
<b>Windover Dr</b>	<b>Barwick Dr - Pembroke Dr</b>
<b>Barwick Ct</b>	<b>Barwick Dr - Pembroke Dr</b>
<b>Danfield Dr</b>	<b>Northridge Rd - Danfield Lane</b>
<b>Danfield Lane</b>	<b>Brookhaven Blvd - Danfield Dr</b>
<b>Evesham Ct</b>	<b>Danfield Dr - West 3900 Block</b>
<b>Stoneleigh Pl</b>	<b>Danfield Dr - West 3900 Block</b>
<b>Calais Ct</b>	<b>Danfield Dr - West 3700 Block</b>
<b>Wyndam Pl</b>	<b>Danfield Dr - West 3800 Block</b>
<b>Hidden Hill Rd</b>	<b>Winding Ridge Rd - 36th Ave N.W.</b>
<b>Windermere Dr</b>	<b>Hidden Hill Rd - North 1900 Block</b>
<b>Banbury Ct</b>	<b>Hidden Hill Rd - North 1900 Block</b>
<b>Alderbrook St</b>	<b>Hidden Hill Rd - North 1900 Block</b>
<b>Guilford Ct</b>	<b>Hidden Hill Rd - North 1900 Block</b>
<b>Abbotsford Lane</b>	<b>Guilford Lane - Guilford Lane</b>
<b>Rosebrook</b>	<b>Brookhaven Blvd - North 1900 Block</b>
<b>Wyckham Pl</b>	<b>Brookhaven Blvd - North 2100 Block</b>
<b>Northhampton Dr</b>	<b>Brookhaven Blvd - Grandview Ave</b>
<b>Northhampton Ct</b>	<b>Grandview Ave - West 4200 Block</b>
<b>Grandview Ave</b>	<b>Pebblecreek Rd - North 1900 Block</b>
<b>Hillside Dr</b>	<b>Grandview Ave - West 4300 Block</b>
<b>Pebblecreek Rd</b>	<b>Grandview Ave - West 4100 Block</b>
<b>Brookfield Dr</b>	<b>Trophy Dr - Grandview Ave</b>
<b>Trophy Dr</b>	<b>Brookfield Dr - Brookfield Dr</b>
<b>Bristol Dr</b>	<b>Bellwood Cir - Brookhaven Blvd</b>
<b>Burlington Pl</b>	<b>Brookhaven Blvd - South 1300 Block</b>
<b>Bingham Pl</b>	<b>Brookhaven Blvd - South 1300 Block</b>
<b>Brookdale Dr</b>	<b>Robinson St - North to Brookhaven Blvd</b>
<b>Stratford Lane</b>	<b>Brookdale Dr - West 3900 Block</b>
<b>Coventry Lane</b>	<b>Brookdale Dr - West 3900 Block</b>
<b>Briarcrest Dr</b>	<b>Broad Acres Dr - East to Brookdale Dr</b>
<b>Waverly Dr</b>	<b>Warwick Dr East to Brookhaven Blvd</b>
<b>Warwick Dr</b>	<b>Waverly Dr East to Brookhaven Blvd</b>
<b>Oxford Way</b>	<b>Winding Ridge Rd East to Brookhaven Blvd</b>
<b>Northridge Rd</b>	<b>Winding Ridge Rd East to Danfield Dr</b>
<b>Charing Cross Ct</b>	<b>Brookhaven Blvd - North 2200 Block</b>
<b>Valley Ridge Rd</b>	<b>Briarcrest Dr North to Hidden Hill Rd</b>
<b>Valley Vista</b>	<b>Valley Ridge Rd - West 4200 Block</b>
<b>Brookview</b>	<b>Valley Ridge Rd - West 4200 Block</b>
<b>Balmoral Ct</b>	<b>Winding Ridge - West 4400 Block</b>
<b>Saint Andrews Ct</b>	<b>Winding Ridge - West 4400 Block</b>

<b>STREET NAME</b>	<b>LIMITS OR SUBDIVISION</b>
<b>Winding Ridge Rd</b>	<b>Briarcrest Dr - Hidden Hill Rd</b>
<b>Cedar Hill Rd</b>	<b>Northridge Rd - Hidden Hill Rd</b>
<b>Winding Ridge Cir</b>	<b>Winding Ridge Rd - West 4400 Block</b>
<b>Green View Cir</b>	<b>Winding Ridge Rd - West 4400 Block</b>
<b>Broad Acres Dr</b>	<b>Robinson St - Northridge Rd</b>
<b>Beckett Ct</b>	<b>Broad Acres Dr - West 4500 Block</b>
<b>Briarcrest Cir</b>	<b>Briarcrest Dr - North 1300 Block</b>
<b>Alexander Ct</b>	<b>Broad Acres Dr - West 4400 Block</b>
<b>Greenfield Cir</b>	<b>Broad Acres Dr - West 4500 Block</b>
<b>Polo Ridge Cir</b>	<b>Broad Acres Dr - West 4500 Block</b>
<b>Chukkar Ct</b>	<b>Northridge Rd - W 4500 Block</b>
<b>Boyd St</b>	<b>Classen Blvd - 12th Ave East</b>
<b>Main St</b>	<b>Park Dr - 48th Ave West</b>
<b>36th Ave West</b>	<b>Main St - Willowbend Rd</b>
<b>Whippoorwill Dr</b>	<b>Oakhurst Ave - Elmhurst Dr</b>
<b>Allenhurst St</b>	<b>Oakhurst Ave - Amhurst Ave</b>
<b>Oakhurst Cir</b>	<b>Oakhurst Ave - E 1900 Block</b>
<b>Elmhurst Dr</b>	<b>Whippoorwill Dr - Amhurst Ave</b>
<b>Amhurst Ave</b>	<b>Allenhurst St - South 1400 Block</b>
<b>Ridgewood Dr</b>	<b>Oakhurst Ave - Oakcliff Rd</b>
<b>Lakehurst Dr</b>	<b>Oakhurst Ave - Oakcliff Rd</b>
<b>Oakcliff Rd</b>	<b>Lakehurst Ave - Burnt Oak Dr</b>
<b>Oakcrest Ave</b>	<b>Oakhurst Ave - Elmhurst Dr</b>
<b>Rollingstone Dr</b>	<b>Oakhurst Ave - South 1600 Block</b>
<b>Rollingstone Cir</b>	<b>Oakhurst Ave - West 1900 Block</b>
<b>Twisted Oak Dr</b>	<b>Oakhurst Ave - East 1800 Block</b>
<b>Twisted Oak Cir</b>	<b>Twisted Oak Dr - South 2000 Block</b>
<b>Flood Ave</b>	<b>Main St - Gray St</b>
<b>26th Ave NW</b>	<b>Hemphill Dr - North 600 Block</b>
<b>Hemphill Dr</b>	<b>24th Ave NW - 26th Ave NW</b>
<b>Fairway Ct</b>	<b>24th Ave NW - Fairway Dr</b>
<b>Comanche St</b>	<b>Porter Ave - Peters Ave</b>
<b>Comanche St</b>	<b>Lahoma Ave - Chautauqua</b>
<b>Pickard Ave</b>	<b>Timberdell Rd - Elmwood Dr</b>
<b>Pickard Ave</b>	<b>Imhoff Rd - Lakewood Dr</b>
<b>Green Hills Dr/Ct</b>	<b>Kingsbury Dr - West 3900 Block</b>
<b>Morain Ct</b>	<b>Cherry Creek Dr - West 4000 Block</b>
<b>Preston Ct</b>	<b>Cherry Creek Dr - West 3900 Block</b>
<b>Knob Hill Cir</b>	<b>Cherry Creek Dr - South 200 Block</b>

<b>STREET NAME</b>	<b>LIMITS OR SUBDIVISION</b>
<b>Knob Hill Ct</b>	<b>Cherry Creek Dr - West 3900 Block</b>
<b>Pine Tree Cir</b>	<b>Cherry Creek Dr - West 3900 Block</b>
<b>Beechwood Dr</b>	<b>Cherry Creek Dr - Kingsbury Dr</b>
<b>Durango Cir</b>	<b>Cherry Creek Dr - West 3900 Block</b>
<b>Silverton Cir</b>	<b>Cherry Creek Dr - West 4100 Block</b>
<b>Orchard Lane</b>	<b>Cherry Creek Dr - Alpine Dr</b>
<b>Hughes Cir</b>	<b>Cherry Creek Dr - West 4100 Block</b>
<b>Western View Dr</b>	<b>Cherry Creek Dr - 36th Ave S.W.</b>
<b>Morrison Ct</b>	<b>Stone Well Dr/Cir - E 3900 Block</b>
<b>Morrison Cir</b>	<b>Stone Well Dr - E 4100 Block</b>
<b>Kingsbury Dr</b>	<b>Beechwood Dr - Green Hills Dr</b>
<b>Cherry Creek Dr</b>	<b>Main St - Western View Dr</b>
<b>Stone Well Dr</b>	<b>South 300 Block - South 500 Block</b>
<b>Pine Tree Lane</b>	<b>Cherry Creek Dr - Green Hills Dr</b>
<b>Alpine Cir</b>	<b>Orchard Lane - South 500 Block</b>
<b>Boulder Ct</b>	<b>South 300 Block - South 500 Block</b>
<b>Garland Ct</b>	<b>South 300 Block - South 500 Block</b>
<b>Trinidad Ct</b>	<b>Midland Dr - Midland Dr</b>
<b>Midland Dr</b>	<b>Trinidad Dr - Trinidad Dr</b>
<b>Creekdale Dr</b>	<b>Main St - North 200 Block</b>
<b>Quail Run Cir</b>	<b>Creekdale Dr - West 3800 Block</b>
<b>Belhaven Cir</b>	<b>Creekdale Dr - West 3800 Block</b>
<b>Lynnbrook Cir</b>	<b>Creekdale Dr - West 3800 Block</b>
<b>Brooks St</b>	<b>24th Ave S.W. - McGee Dr</b>
<b>Garrison Dr</b>	<b>Boyd St - Melrose Dr</b>
<b>Hal Muldrow Dr</b>	<b>Main St - Melrose Dr</b>
<b>Melrose Dr</b>	<b>Hal Muldrow Dr - Rosedale Dr</b>
<b>Melrose Ct</b>	<b>Hal Muldrow Dr - West 2100 Block</b>
<b>Sherry Ave</b>	<b>Main St - Melrose Dr</b>
<b>Mercedes Dr</b>	<b>Main St - Melrose Dr</b>
<b>Thompson Dr</b>	<b>Main St - Melrose Dr</b>
<b>Collier Dr</b>	<b>Main St - Melrose Dr</b>
<b>Jansing Dr</b>	<b>Thompson Dr - Garrison Dr</b>
<b>Garrison Dr</b>	<b>Melrose Dr - Jansing Dr</b>
<b>Sunset Dr</b>	<b>Gatewood Dr - Sherry Ave</b>
<b>Ann Arbor Dr</b>	<b>Sherry Ave - Berry Rd</b>
<b>Melrose Dr</b>	<b>Sherry Ave - Berry Rd</b>
<b>Huntington Way</b>	<b>Rosedale Dr - Berry Rd</b>
<b>Camden Way</b>	<b>Garrison Dr - Berry Rd</b>
<b>Westlawn Dr</b>	<b>Wylie Rd - Berry Rd</b>

<b>STREET NAME</b>	<b>LIMITS OR SUBDIVISION</b>
<b>Windsor Way</b>	<b>Wylie Rd - Berry Rd</b>
<b>Westchester Ave</b>	<b>Sunset - Main St</b>
<b>Rosedale Dr</b>	<b>Melrose Dr - Boyd St</b>
<b>Lenox Dr</b>	<b>McGee Dr - Rosedale Dr</b>
<b>McGee Dr</b>	<b>Boyd St - Lenox Dr</b>
<b>Leslie Lane</b>	<b>Berry Rd - Cruce St</b>
<b>Cruce St</b>	<b>Berry Rd - McGee Dr</b>
<b>Caddell Lane</b>	<b>Berry Rd - McGee Dr</b>
<b>Brooks St</b>	<b>Berry Rd - Wylie Rd</b>
<b>Avondale Dr</b>	<b>Berry Rd - McGee Dr</b>
<b>Oakwood Dr</b>	<b>McGee Dr - Lindale Dr</b>
<b>Lindale Ave</b>	<b>Wylie Rd - Avondale Dr</b>
<b>Lancaster Cir</b>	<b>McGee Dr - West 1600 Block</b>
<b>Greenbriar Dr</b>	<b>Berry Rd - Smoking Oak Rd</b>
<b>Greenbriar Ct</b>	<b>Berry Rd - West 1200 Block</b>
<b>Cherry Laurel Dr</b>	<b>Berry Rd - Cypress Ave</b>
<b>Hawthorne Ct</b>	<b>Hollywood Ave - West 1600 Block</b>
<b>Spruce Dr</b>	<b>Cypress Ave - Linden Ave</b>
<b>Smoking Oak Ct</b>	<b>Smoking Oak Rd - West 1700 Block</b>
<b>Smoking Oak Pl</b>	<b>Smoking Oak Rd - West 1700 Block</b>
<b>Chestnut Lane</b>	<b>Smoking Oak Rd - Hollywood Ave</b>
<b>Locust St</b>	<b>Cypress Ave - Hollywood Ave</b>
<b>Sycamore St</b>	<b>Cypress Ave - Acacia Ct</b>
<b>Holly Cir</b>	<b>Hollywood - West 1600 Block</b>
<b>Magnolia St</b>	<b>Berry Rd - West 1500 Block</b>
<b>Smoking Oak Rd</b>	<b>McGee Dr - South 2600 Block</b>
<b>Hollywood Ave</b>	<b>Westbrooke Ter - Holly Ave</b>
<b>Cypress Ave</b>	<b>Greenbriar Dr - Magnolia St</b>
<b>Boxwood Ave</b>	<b>Sycamore St - Spruce Dr</b>
<b>Linden Ave</b>	<b>Sycamore St - Spruce Dr</b>
<b>Acacia Ct</b>	<b>Magnolia St - South 2500 Block</b>
<b>Poplar Lane</b>	<b>Imhoff Rd - Magnolia St</b>
<b>Aspen Lane</b>	<b>Poplar Lane - Magnolia St</b>
<b>Aspen Cir</b>	<b>Aspen Lane - South 2700 Block</b>

\$4,500,000

Road Reconstruction

Project will completely reconstruct urban streets and will include removal of existing pavement, curb and/or gutter, stabilization of subgrade, construction of new curb and/or gutter and driveway approaches,

full depth paving, and drainage improvements, if required. The following streets are to be improved:

<b>STREET NAME</b>	<b>LIMITS OR SUBDIVISION</b>
<b>Hayes St</b>	<b>Flood Ave - James Garner Ave</b>
<b>Mosier St</b>	<b>Flood Ave - James Garner Ave</b>
<b>Himes St</b>	<b>Flood Ave - James Garner Ave</b>
<b>Johnson St</b>	<b>Flood Ave - James Garner Ave</b>
<b>Iowa St</b>	<b>Berry Rd - Barbour Ave</b>
<b>Mosier St</b>	<b>Cockrel Ave - Carter Ave</b>
<b>Nebraska St</b>	<b>University Blvd - Flood Ave</b>
<b>Iowa St</b>	<b>Berry Rd - Pickard Ave</b>
<b>Iowa St</b>	<b>Flood Ave - University Blvd</b>
<b>Dakota St</b>	<b>Berry Rd - University Blvd</b>

\$4,000,000

Total Street and Road Projects

\$19,000,000

**(Proposition No. 2)  
Outdoor Warning Siren Project**

The specific projects for which at least seventy percent (70%) of the proceeds of the outdoor warning siren bonds shall be expended and the dollar amounts of each such project shall be as follows:

Outdoor Warning Siren Project

Project will consist of improving The City of Norman, Oklahoma outdoor warning siren system made up of the following components:

Acquisition costs of new warning sirens	\$1,740,000
Land acquisition	\$100,000
Control station hardware and software	\$55,500
Modification and relocation of existing sirens	\$170,000
Contingency	\$184,500
Total Outdoor Warning Siren Project	\$2,250,000

That only the registered, qualified voters of The City of Norman, Oklahoma, may vote upon the propositions as above set forth.

The polls shall be opened at 7:00 O'clock A.M. and remain open continuously until and be closed at 7:00 O'clock P.M.

Such election shall be conducted by those precinct officers designated by the County Election Board of Cleveland County, Oklahoma, which officers shall also act as counters and certify the results in the case of regular elections and certify the results thereof as required by law.

The number and location of the polling places and the names of the persons who shall conduct said election shall be provided by the County Election Board.

DATED this 22<sup>nd</sup> day of December, 2009.

(SEAL)

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



## TRANSPORTATION COMMITTEE MINUTES

September 24, 2009

The City Council Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Municipal Building Conference Room on the 24th day of September, 2009, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

MEMBERS PRESENT:	Councilmembers Butler, Cubberley, and Kovach
MEMBERS ABSENT:	Chairman Quinn
OTHERS PRESENT:	Councilmember Jim Griffith Ms. Theta Dempsey, OU Parking and Transportation Administrator Mr. Greg Hall, Street Maintenance Superintendent Mr. Steve Lewis, City Manager Ms. Betty Love, Assistant to Theta Dempsey, CART Ms. Janice Oak, Progressive Independence Mr. Shawn O'Leary, Director of Public Works Mr. Cody Ponder, Grants Specialist II for OU Ms. Linda Price, Revitalization Manager Ms. Syndi Runyon, Administrative Technician IV Ms. Mary Frances, interested citizen

### REVIEW OF CRITERIA FOR STREETS THAT WILL BE INCLUDED IN A GENERAL OBLIGATION BOND ELECTION IN 2010.

Mr. Shawn O'Leary, Director of Public Works, said in 2005, voters passed a five year bond proposal for pavement reconstruction on existing streets and said another bond proposal is being prepared for March 2010, in the amount of \$19 million to keep the maintenance program ongoing. He provided an overview of projects that have been completed to date, as well as current projects. He said the City maintains approximately 800 miles of streets throughout Norman that consist of 66% urban streets, 30% rural, and 4% other such as various sections of highways. He said the City uses a Pavement Condition Index with a scale of 0 to 100 as follows: 85-100 – Excellent, 80-84 - Very Good, 70-79 – Good, 60-69 – Fair, 40-59 – Poor, and 10-39 - Very Poor. He said the City's goal is to keep street conditions maintained at 70 or above. He said the focus of the maintenance program is to extend the life of local streets, which is inexpensive compared to total rehabilitation. Councilmember Kovach asked if there is a point at which the City decides there are too many layers between the top of the street and the sub-grade from performing overlays. Mr. Greg Hall, Street Maintenance Superintendent, replied yes and said Staff does not like to keep overlaying because it causes drainage issues. Mr. O'Leary said drainage is an integral part of any pavement project and overlaying can also cause problems with existing bicycle lanes.

Mr. O'Leary said Norman began using a Pavement Management System (PMS) in 2001, with data collected by Infrastructure Management Services (IMS) to provide a comprehensive report on City street conditions. He said all existing pavement and types were tested and the pavements range in age from approximately the year 1910 to 2009. He said the PMS provides an inventory of all paved roads and their overall condition, assists in determining maintenance strategies, and is used for budgeting maintenance dollars from the bond program and the Capital Improvement Projects Budget. Mr. O'Leary said the PMS is a great tool because prior to that, Staff drove the streets to determine which streets needed maintenance.

He said the PMS gives unbiased data, is a good management tool, and allows tracking. Mr. O'Leary talked about the pavement deterioration curve and pavement aging curve and how they are used as a tool for preventive maintenance. He said current goals include maintaining a scale of 70 or over pavement condition rating; improving service to citizens and drivers; maximizing resources; finding innovative maintenance methods and materials; and establishing a preventative maintenance philosophy and budget.

Mr. O'Leary said the proposed 2010 bond proposal will request \$19 million to be distributed as follows:

- ❖ 55% asphalt rehabilitation and maintenance
- ❖ 30% concrete rehabilitation and maintenance
- ❖ 15% rural road rehabilitation and maintenance (reduce the current inventory of unpaved roads from 15 miles to 5 miles)
- ❖ Bicycle safety features (i.e. grates and drainage structures) modification where applicable
- ❖ Perform necessary drainage improvements

Mr. O'Leary also reviewed the timeline for a March 2, 2010, election.

Councilmember Butler asked if rural roads could be paved to accommodate bike lanes and Mr. O'Leary said Staff has been working closely with the Bicycle Ad Hoc Committee and that Committee has inventoried roads and submitted a list of recommended bike lanes which can be incorporated into rural maintenance projects.

Councilmember Butler asked Staff to submit the list of streets scheduled for maintenance/rehabilitation at the next meeting of October 15, 2009. She said after the Transportation Committee has reviewed the list, Council will review it in a Study Session on November 3, 2009. Councilmember Kovach asked if the Finance Committee needed to review the financial aspect of the bond proposal and Councilmember Cubberley said that has been done and the Finance Committee was in agreement with the \$19 million figure. Mr. Steve Lewis, City Manager, asked if the City had held a Town Hall meeting before the 2005 bond proposal and Councilmembers said they did not believe so, but information was placed on the website and Channel 20. Mr. O'Leary said Staff is preparing an informational video on pavement management that can be played on Channel 20.

Items submitted for the record

1. PowerPoint presentation entitled, "2010 Bond Proposal Street Maintenance," dated September 24, 2009

DISCUSSION REGARDING REVISIONS TO THE CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE.

Ms. Theta Dempsey, OU Parking and Transportation Administrator, said there were small increases in overall ridership but a decrease on the CARTaccess. She said the decrease could be due to more fixed route bus stops being accessible to riders with disabilities.

Ms. Janice Oak, Progressive Independence, said some disabled citizens have stopped riding the CARTaccess because they are not treated well. Councilmember Kovach asked her if she could elaborate on that statement and Ms. Oak said they do not like being "tied down." Ms. Dempsey explained that riders using wheelchairs have to wear seatbelts and the wheelchairs must to be secured so they cannot roll around. She said these regulations were put into place several years ago after CART had received three liability

claims in an eight month period. Councilmember Cubberley asked if there had been any claims since the new regulations were put into place and she said no. Councilmember Kovach asked if fixed route busses had different regulations and Ms. Dempsey again replied no. Councilmember Kovach asked Ms. Oak if she felt educating riders on the reasons for the regulations would make a difference and she said it may help a little. Councilmember Kovach said, in his experience, people are more understanding when the reason for certain actions are explained to them rather than just forced upon them.

Ms. Dempsey said CART is reevaluating their long range transportation plan and would include a Porter Avenue route contingent upon implementation of the Porter Corridor Plan. She said they would also remove the proposed west side route from the plan as CART is now providing transportation to the Norman Regional Healthplex, University North Park, Brookhaven Village, and Embassy Suites with the new West Norman Link route.

Items submitted for the record

1. Cleveland Area Rapid Transit Total Weekday Passenger Trips; Average Daily Passenger Trips; CARTaccess; Same Day and Zone Two; Bicycle and Saturday Totals; Total Saturday Passenger Trips; Average Saturday Passenger Trips; Expanded Sooner Express; Social Security Administration; and Little Axe Shuttle

DISCUSSION REGARDING THE POSSIBILITY OF REQUESTING THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) FACILITATE A COMMUTER RAIL STUDY FOR THE NORMAN TO OKLAHOMA CITY AND OKLAHOMA CITY TO EDMOND SEGMENTS.

Councilmember Butler said it was her understanding that ACOG would not be able to fund a study this year. She asked that this item be postponed until the next meeting when Chairman Quinn could be in attendance. Councilmember Kovach said he would like to proceed with a resolution as a first step towards future opportunities.

MISCELLANEOUS DISCUSSION.

Ms. Dempsey told the Committee that the University will be requesting the closure of sections of Jenkins and Asp in order to build an underground tunnel. She said this would affect five bus routes and CART Staff is in the process of planning temporary routes. She said CART could use Boyd Street to Elm Avenue to Lindsey Street; however, the busses cannot make the left hand turn onto Lindsey because of southbound turn lane on Lindsey Street. Councilmembers suggested that the City temporarily close the turn lane or restripe the lane to have cars stop further back from the light to give the busses the extra area needed to complete the turn.

Councilmember Butler said ACOG will hold a public meeting on October 6, 2009, regarding a transportation study they have completed on the "people experience of getting around" from 4:00 to 6:00 p.m. at the Oklahoma City Foundation. She said ACOG's Rideshare Website is online and the address is getaroundok.com and she suggested adding this to the transportation link of the City of Norman's website. Rideshare is a new carpool matching program that helps citizens of Central Oklahoma get to know each other better while saving gas, time and money.

The meeting adjourned at 6:55 p.m.

Mayor Rosenthal said ACOG is involved in the Regional Transit Dialogue and expects to play a significant role in an Intermodal Hub Study in OKC and while they feel it will be important to conduct a Commuter Rail Study, it is not possible to do so this year. Mayor Rosenthal suggested waiting until January before adopting a resolution to that effect. Chairman Quinn asked if the timing is bad to adopt a resolution now. Mayor Rosenthal said she would like to see how the TIGER grant plays out first and felt it would be better to adopt a resolution supporting the high speed rail application. Councilmember Kovach said he would support a resolution for the high speed rail application; however, a resolution supporting a commuter rail study would not be mute if the high speed rail application is accepted because an environmental analysis would still be needed for the stops along the way that are outside of the BNSF right-of-way. He said the commuter rail resolution is flexible and by starting now, ACOG will know what kind of support they have. Councilmember Butler said she would like to separate the two projects and do something to focus on the high speed rail project and then refine the commuter rail study resolution for later distribution. Councilmember Cubberley agreed and said, in January, if no movement has happened regarding the high speed rail application, Council could consider a commuter rail study resolution incorporating language about the high speed rail application. Councilmembers asked Staff to draft language supporting the high speed rail application to be forwarded to the full Council on its regular agenda for consideration.

Items submitted for the record

1. Draft resolution for Commuter Rail Study

REVIEW OF STREETS TO BE CONSIDERED IN THE EXTENSION OF THE EXISTING FIVE YEAR STREET IMPROVEMENT PROGRAM.

Mr. Steve Lewis, City Manager, said in 2005, the voters of Norman approved a five year street maintenance General Obligation Bond program that will end in 2010. He said recent Quality of Life Survey results indicated 74% of those who responded would be somewhat likely or very likely to support a new street maintenance bond program as long as it did not increase property taxes. He said the maintenance of City streets and sidewalks ranked in the top three areas the City should focus on over the next two years.

Mr. Shawn O'Leary, Director of Public Works, provided an overview of completed 2005 bond projects as well as the proposed street projects included in a possible March 2010, election to continue the maintenance program. He said approximately \$1,000,000 remains in the 2005 bond program and all of the projects have been completed. He attributes this to a good bidding environment and management of the Pavement Management System (PMS) program. He said with the Council's concurrence, Staff will move forward with a bid proposal for the remaining funds to be used for additional urban asphalt maintenance projects and provided a list of streets and construction timeline. He said these projects are a continuation of the PMS selection process and are the first obvious candidates for maintenance. Councilmember Cubberley said the streets appear to be in a concentrated area and asked if Staff anticipated criticism from citizens regarding the construction. Mr. Greg Hall, Superintendent of Streets, said one contractor would be doing the entire project and the streets would be staggered. Councilmember Kovach asked what type of notification citizens would receive and Mr. O'Leary said Staff can notify citizens collectively and added that most projects will allow for traffic access while construction is ongoing.

Mr. O'Leary said the 2010 Bond Proposal totals \$19 million to be distributed as follows:

- ❖ 55% asphalt rehabilitation and maintenance
- ❖ 30% concrete rehabilitation and maintenance
- ❖ 15% rural road rehabilitation and maintenance (reduce the current inventory of unpaved roads from 15 miles to 5 miles)
- ❖ Bicycle safety feature (i.e. grates and drainage structures) modification where applicable
- ❖ Perform necessary drainage improvements (i.e. minor storm water sewer extensions, valley gutters, and rural roadside drainage tin horns)

Councilmember Butler asked if the bicycle projects would be in conjunction with paving projects or more widespread and Mr. O'Leary responded they will be in conjunction with the paving projects and will be only minor improvements for drainage purposes.

Mr. O'Leary reviewed the selection criteria, maintenance strategies, and streets scheduled for maintenance. Councilmember Kovach had asked about the affect on speed tables on streets to be rehabilitated and Mr. O'Leary said the contractor will mill up to the table and stop, then mill the other side without removing or damaging the table. Mayor Rosenthal questioned why there were areas scheduled for maintenance where the streets were fairly new and Mr. Hall said although some streets in subdivisions are fairly new, others in the older parts of the addition need attention and would only require crack and sealing or a rejuvenating coat that could prolong the life of the street ten years. Mr. O'Leary said there are also streets in newer areas that are not performing as they should and taking care of those streets now to prolong life is the most cost effective method.

Mr. O'Leary said when maintenance is completed on a project, the entire block will be rehabilitated. He said while the entire block may not receive resurfacing treatment, it will receive other improvements such as replacement of storm drain grates, drainage improvements, etc. Mayor Rosenthal said it is also important citizens understand the City is completing connections and filling out the road system in rural east Norman.

Dr. Kyran Mish, Chair of the Bicycle Ad Hoc Committee, said Boyd Street is a popular bike route and felt this would be a good opportunity, while the street is under repair, to place a bike lane there separate from vehicle traffic. Mayor Rosenthal asked if it would be practical to place a painted line for a bike lane on Boyd and Mr. O'Leary said the Bike Committee is reviewing on-street painted bike lanes as well as shoulders for specific rural roads, which could merge with the maintenance projects. Councilmember Butler said 156th Avenue gets a lot of traffic and asked if that street was just being resurfaced or if other improvements were being done and Mr. Hall said Staff looked at the economics of installing shoulders but additional right-of-way would need to be purchased, which would increase the cost significantly. Councilmember Kovach asked whether shoulders extend the life of the road and Mr. O'Leary answered yes. Dr. Mish said roadways fail from the edges and that is why shoulders are important. Councilmember Butler suggested placing "Share the Road" signs in hilly areas, especially on Franklin Road, Robinson Street, and Lindsey Street until such time shoulders could be added. Dr. Mish suggested lowering the speed limits and enforcing them on hilly roads because of the limited site distance. Councilmember Kovach asked if there were eastern rural roads scheduled for maintenance where a bike path could be accommodated such as Alameda, which is heavily used by bicyclists. Mr. O'Leary said the Bicycle Ad Hoc Committee is reviewing options; however, Staff would have to confer with the Bond Counsel to determine whether bike paths can be legally included as part of a project in the bond proposal.

Mr. O'Leary said rural road projects are proposed as partnership projects with Cleveland County. The estimated \$2.8 million includes City labor, County labor, and materials, but the value of the rehab is closer to \$5.6 million. He said it is good leveraging of resources and the City's relationship with the County, but it assumes the relationship continues with Cleveland County. Councilmember Cubberley asked if this was in addition to funds/projects budgeted in the Capital Improvements Program for materials and labor and Mr. Hall replied yes.

Mr. O'Leary said Staff prepared additional information for streets that are in such condition, the only option is total reconstruction, which includes new curbs and gutters; new driveway approaches; stabilizing subgrade; full depth paving; and drainage improvements of ten lane miles for approximately \$10 million. Councilmember Cubberley said the last bond proposal did not have a minor road reconstruction component and the sides streets are often the ones that get ignored for years so this portion would help address concerns from those citizens that feel their streets are being pushed aside for larger projects. Councilmember Kovach said the roads that need reconstruction require more maintenance because they are being patched frequently, which increases the operations and maintenance budget and Mr. O'Leary agreed.

Mr. Francisco highlighted the property tax impact to property owners for the bond proposal as follows:

Option 1 - PROPOSED 5-YEAR STREET RESURFACING G.O. BONDS, SERIES 2010 (\$19 million)

Average Impact on Home with \$100,000 Market Value	\$3.83 per month
Average Impact on Home with \$150,000 Market Value	\$5.92
Average Impact on Home with \$200,000 Market Value	\$8.01

No Tax Increase as tax impact on households is calculated to be the same as the 2005 G.O. Bond Program.

Option 2 – PROPOSED 5-YEAR STREET RECONSTRUCTION G.O. BONDS, SERIES 2010 (\$10 million)

Average Impact on Home with \$100,000 Market Value	\$2.73 per month
Average Impact on Home with \$150,000 Market Value	\$4.22
Average Impact on Home with \$200,000 Market Value	\$5.71

Slight increase on property tax.

Option 3 – PROPOSED 20-YEAR STREET RECONSTRUCTION G.O. BONDS, SERIES 2010 (\$10 million)

Average Impact on Home with \$100,000 Market Value	\$.072 per month
Average Impact on Home with \$150,000 Market Value	\$1.11
Average Impact on Home with \$200,000 Market Value	\$1.50

Spread debt over longer period of time.

Mayor Rosenthal had reservations about requesting \$29 million in bonds. She said Council needs to be sensitive to the perceptions of voters and while she was supportive of the full Council seeing the presentation, she requested another option that would include reconstruction. She said Council needs to be cognizant of the City and State budgets during the election period. She said the entire program equals 229 miles of roadway and may be too ambitious and if the proposal is limited to \$19 million the City could still do more maintenance than was included in the 2005 election. Councilmember Cubberley said because of interest costs, the 20 year option is not a good value and asked to see the figures on a ten year bond as well as a mix. Staff will present the two packages to Council in its Study Session on November 3, 2009.

Items submitted for the record

1. PowerPoint presentation entitled, "Street Maintenance Bond Program Existing (2005) and Proposed (2010)" dated October 15, 2009
2. Options for Proposed Street Maintenance and Reconstruction Bonds

MISCELLANEOUS DISCUSSION.

Ms. Janice Oak, Progressive Independence, distributed information regarding an online National Dialogue by United We Ride Department of Rehabilitation Services concerning transportation access for people with disabilities, older adults, and persons of limited income to be held November 2 through 13, 2009.

Items submitted for the record

1. E-mail dated October 13, 2009, from Beverly Graham to Janice Oak

The meeting adjourned at 7:08 p.m.

ATTEST:

---

City Clerk

---

Mayor

## CITY COUNCIL STUDY SESSION MINUTES

November 17, 2009

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:30 p.m. in the Municipal Building Conference Room on the 17th day of November, 2009, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Atkins, Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal

ABSENT: Councilmember Ezzell

### DISCUSSION REGARDING PROPOSED ORDINANCES CALLING FOR A SPECIAL ELECTION ON MARCH 2, 2010, FOR THE ISSUANCE OF MAINTENANCE/RECONSTRUCTION PROGRAM AND REPLACEMENT OF THE OUTDOOR WARNING SYSTEM.

Mr. Allan Brooks, Public Finance Law Group, PLLC, provided an overview of the ordinances, propositions, and timelines for a March 2, 2010, election and said general obligation bond (G.O. bonds) issues are approved by the Attorney General's Office. He said the first proposition will extend the current street maintenance program consisting of \$15 million in street maintenance projects; 55% (\$8,250,000) asphalt rehabilitation and maintenance, 30% (\$4,500,000) concrete rehabilitation and maintenance, and 15% (\$2,250,000) rural road rehabilitation and maintenance as well as \$4 million in street reconstruction projects for a total of \$19 million. He said the second proposition is for the installation of an Outdoor Warning System in the amount of \$2,250,000, which would encompass the entire City of Norman. Mr. Brooks said there is no expiration date on voting on the issuance of G.O. bonds, which are competitively sold and have a five year maturity date. The bonds are issued under Article 10, Section 27 of the Constitution of the State of Oklahoma and require a majority vote of 50% for approval. He said if the ordinance is approved by Council, the proclamation and notice of election will be published in the newspaper three times in the three preceding weeks prior to the election.

Mayor Rosenthal reminded everyone the street construction portion of the bonds will be accomplished without an increase in property taxes. The First Reading Ordinance will appear on Council's agenda of December 8, 2009, with Second Reading following on December 22, 2009.

#### Items submitted for the record

1. Draft Ordinance No. O-0910-16

#### Participants in discussion

1. Mr. Allan Brooks, Public Finance Law Group, PLLC
2. Mr. Anthony Francisco, Director of Finance
3. Mr. Steve Lewis, City Manager

The meeting adjourned at 5:45 p.m.

ATTEST:

---

City Clerk

---

Mayor



7. ITEM: CONSIDERATION OF ACCEPTANCE OF THE FOLLOWING DONATED EASEMENT IN CONNECTION WITH THE WELL FIELD DEVELOPMENT PROJECT, PHASE I:

<u>EASEMENT NO.</u>	<u>GRANTOR</u>	<u>EASEMENT</u>
E-0910-28	JAMES AND PATRICIA A. IMHOFF	PERMANENT PUBLIC UTILITY

INFORMATION: The Norman Utilities Authority, in its meeting of March 31, 2009, approved Contract No. K-0809-56 in the amount of \$568,260 for the Well House and Water Line Construction in connection with the Well Field Development Project, Phase I. The project will be complete after Water Well No. 45 has been connected to the distribution system. The above-described easement has been donated to complete the project. The Assistant City Attorney has examined the easement and found it to be in order and proper as to form. Based upon the fact the easement has been dedicated to the City of Norman for water line improvements in the above-mentioned project, Staff recommends acceptance of the easement. Copies of an advisory memorandum, easement, and location maps are included in the Agenda Book.

ACTION NEEDED: Motion to accept or reject the easement; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: \_\_\_\_\_



**Date:** November 18, 2009  
**To:** Honorable Mayor and Council Members  
**From:** Jim Speck, Capital Projects Engineer *JS*  
**Subject:** Agenda Item - Acceptance of Easement  
Phase 1C Well Distribution Waterline

**BACKGROUND:**

Staff has designed the water lines required for the connection of nine new water wells to Norman's water distribution system. The construction of these waterlines is complete except for the distribution line to connect Well #45 to the distribution system. This agenda item is for the acquisition of an easement associated with that waterline.

On February 24, 2009, the NUA approved Contract K-0809-56 with Howard Construction, Inc for the construction of six water well houses and the remaining segment of the distribution water line to connect Well #45.

**DISCUSSION:**

The easement has been donated as described below.

<u>Easement</u>	<u>No.</u>	<u>Grantor</u>	<u>Easement</u>	<u>Cost</u>
	E-0910-28	James & Patricia Imhoff	Varying width permanent access and public water easement	donated

**RECOMMENDATION:**

Staff recommends that the NUA accept the above easement.

Reviewed by: Mark Daniels, Utilities Engineer *MDaniels*

Reviewed by: Kenneth Komiske, Director of Utilities *KKomiske*

Reviewed by: Jeff Bryant, City Attorney *JBryant*

Reviewed by: Steve Lewis, City Manager *SLewis*

GRANT OF EASEMENT

City of Norman

KNOW ALL MEN BY THESE PRESENTS:

THAT James & Patricia A. Imhoff, (GRANTORS), in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman (CITY), a municipal corporation, a public water & access easement over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

A utility and access easement located in the Northwest Quarter (NW/4) of Section Nineteen (19), Township Nine (9) North, Range One (1) West of the Indian Meridian, Cleveland County, Oklahoma, being a part of the tract of land described in Book 278, Page 527 of the Cleveland County Clerks records and more particularly described as follows:

Commencing at the Northeast corner of said NW/4, thence South 00°04'27" East, along the East line of said NW/4, a distance of 33.00 feet to the Point of Beginning; thence continuing South 00°04'27" East a distance of 696.00 feet; thence South 89°55'33" West a distance of 30.00 feet; thence North 00°04'27" West a distance of 140.00 feet; thence North 14°44'02" West a distance of 81.09 feet; thence North 01°07'21" West a distance of 46.61 feet; thence North 03°50'35" East a distance of 237.70 feet; thence North 02°07'53" East a distance of 133.43 feet; thence North 00°04'27" West a distance of 60.50 feet; thence North 89°54'39" East, parallel to the North line of said NW/4, a distance of 30.00 feet to the Point of Beginning.

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public water line.

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 13 day of February, 20 09.

Pat Imhoff  
GRANTOR  
James Imhoff  
GRANTOR

REPRESENTATIVE ACKNOWLEDGMENT

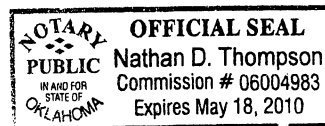
STATE OF Oklahoma, COUNTY OF Cleveland, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 13 day of February, 20 09 personally appeared James & Patricia A. Imhoff to me known to be the identical person(s) who executed the foregoing grant of easement as a free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Nathan D. Thompson  
Notary Public

My Commission Expires: May 18 2010



Approved as to form and legality this 23rd day of November, 20 09.

Bruce  
City Attorney

Approved and accepted by the Council of the City of Norman, this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

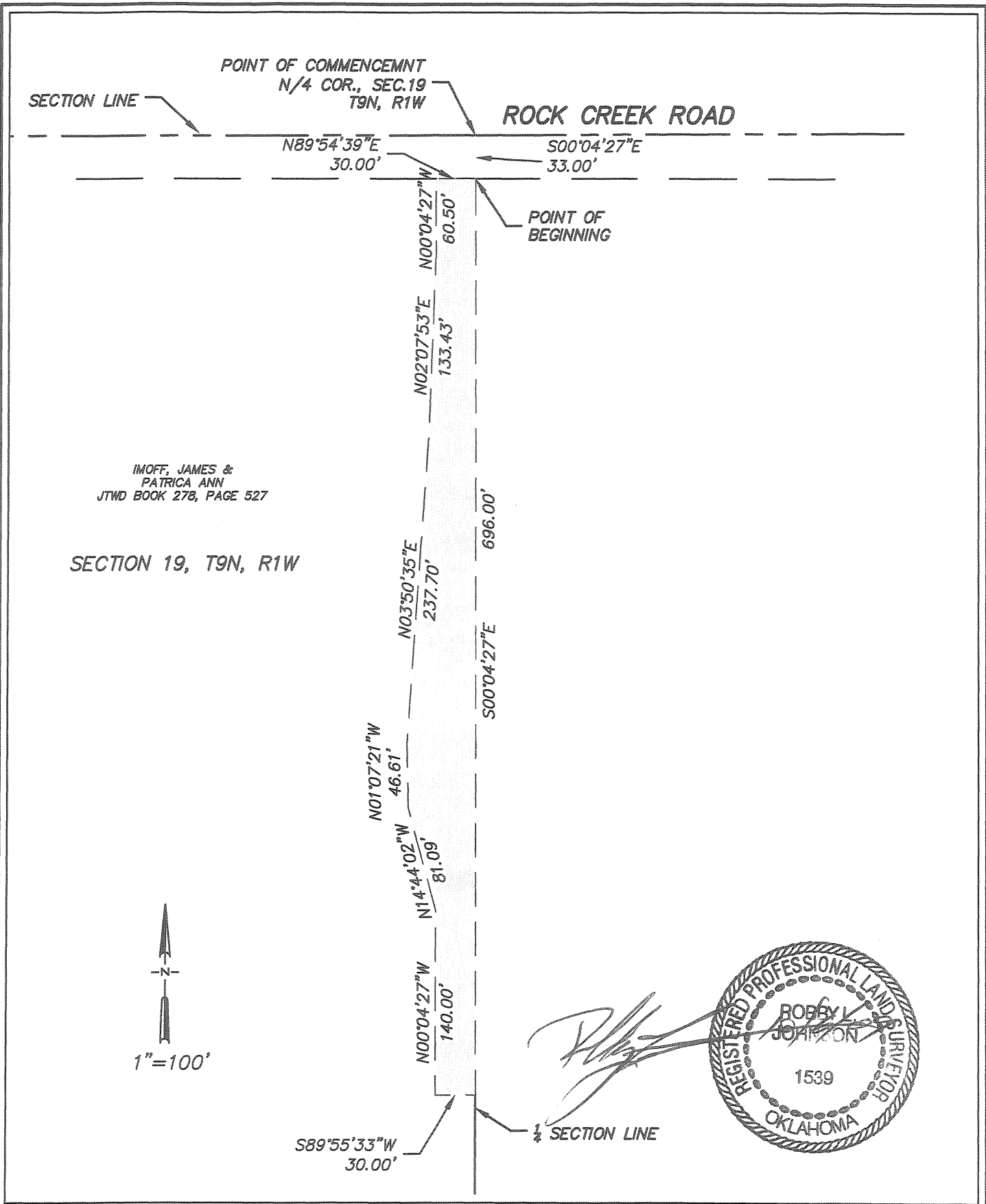
\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_

City Clerk

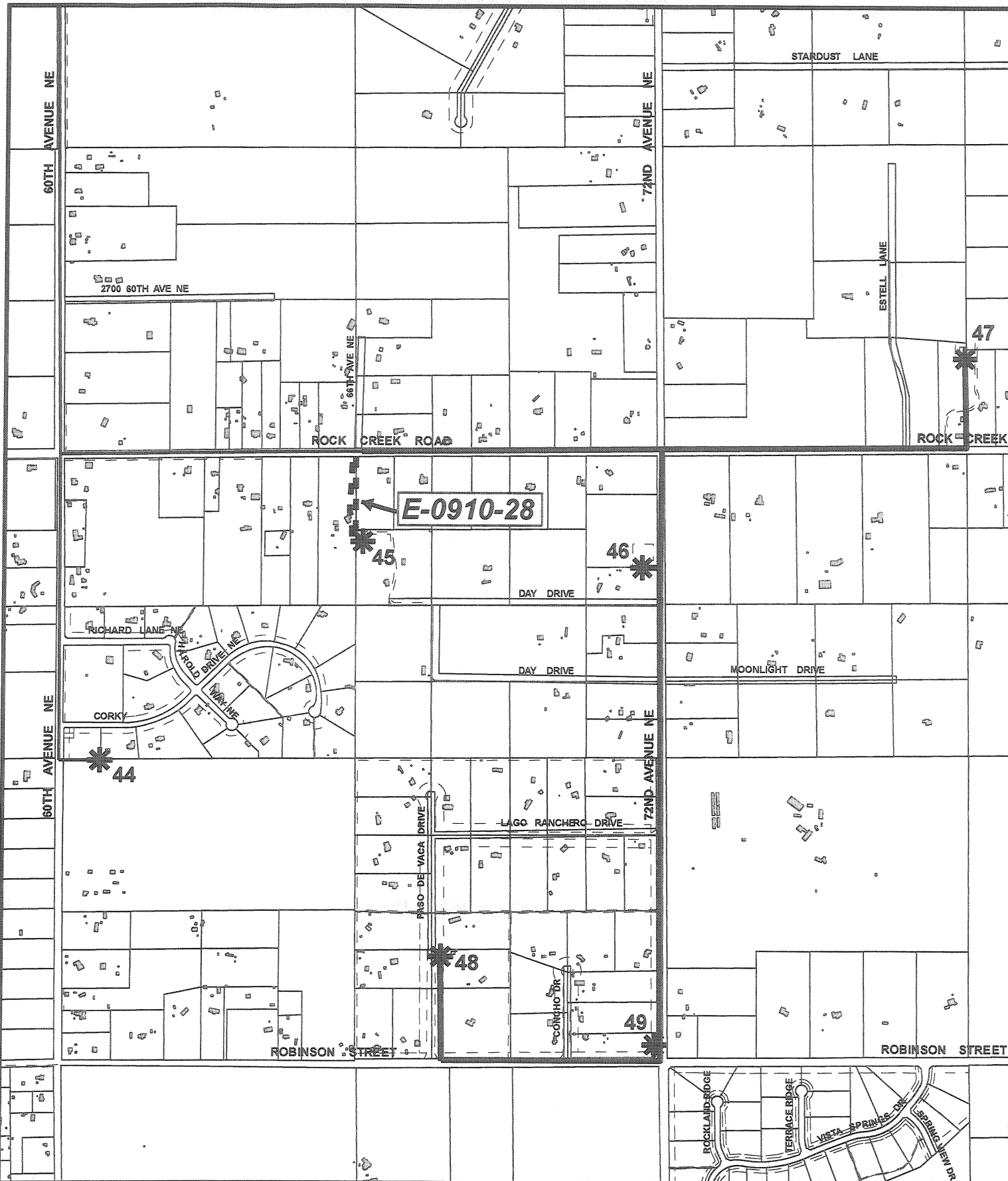
SEAL:

G:\Projects\06064\LLS-Data\Final\NORMAN PHASE 1B WATER LINE EASEMENTS-R02.dwg Oct 06, 2009 - 11:13am



	<b>LEMKE LAND SURVEYING, Inc.</b>		
	3226 BART CONNER DRIVE, NORMAN, OK 73072		
	PH.(405)366-8541 FAX(405)366-8540		
	CA # 2054 EXP.DATE 06/30/08		
	<a href="http://www.lemke-ls.com">http://www.lemke-ls.com</a>		
Surveyed By:	RM	Project:	IMHOFF PARCEL
Drawn By:	RLJ		UTILITY AND ACCESS EASEMENT
Approved By:	5/21/2008	Project Location:	PART OF NW/4 SEC.19, T9N, R1W
Date:	1"=100'		OF THE I.M., CLEVELAND COUNTY, OKLAHOMA
Scale:	06064	Client:	
Project No:			

Sheet Number	1
7-3 sheet 1 of 1	



Map Produced by the City of Norman  
Geographic Information System.  
(405) 366-5436  
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.

## Phase 1B/1C Waterlines Location Map



Well Sites

— Phase 1A Water Lines

— Phase 1B Water Lines

— Phase 1C Water Lines

- - - Easements

□ Parcels

■ Structures



Scale: 1" = 1,100'  
07-4er 12, 2009

8. ITEM: SPECIAL CLAIM NO. 0910-3: A CLAIM IN THE AMOUNT OF \$2,993.79 SUBMITTED BY FELICITY MORSE FOR DAMAGES TO HER VEHICLE DUE TO AN ACCIDENT WITH A CITY OF NORMAN STREET SWEEPER AT THE INTERSECTION OF PORTER AVENUE AND ACRES STREET.

INFORMATION: The above-described special claim has been examined by the City Attorney and found to be in order and proper as to form. Staff recommends approval. Copies of an advisory memorandum, claim, Staff memorandum, and support material are included in the Agenda Book.


ACTION NEEDED: Motion to approve or reject Special Claim No. 0910-3; and, if approved, direct payment in the amount of \$2,993.79 contingent upon obtaining a release and Covenant Not to Sue from Felicity Morse.


ACTION TAKEN: \_\_\_\_\_



**DATE:** November 20, 2009

**TO:** The Honorable Mayor and Councilmembers

**THROUGH:** Jeff Harley Bryant, City Attorney 

**FROM:** Jeanne Snider, Assistant City Attorney 

**SUBJECT:** AGENDA ITEM – Claim of Felicity Morse

**BACKGROUND:**

A claim has been filed by Felicity Morse in the amount of \$2,993.79. Ms. Morse alleges that on October 23, 2009, she was behind a City of Norman street sweeper at the intersection of Porter Avenue and Acres Street, when the vehicle began backing up and struck her vehicle.

**DISCUSSION:**

This incident was investigated by Greg Hall, Public Works Superintendent. He advises that the driver of the street sweeper was working at the intersection of Porter Avenue and Acres Street on said date. As the driver was backing up, he was unable to hear Ms. Morse honking her horn to warn him, and therefore, struck her vehicle causing damage. Due to the traffic in the area at the time of this incident, Ms. Morse was unable to pull over in order to avoid the accident.

Upon investigation of this incident, it appears there is possible negligence on the part of the City in this matter and, consequently, potential liability on the City. The damage amount claimed by Ms. Morse appears to be reasonable.

Ms. Morse advises that a rental car might be necessary while her vehicle is being repaired and, if so, she will submit that expense at a later date.

**RECOMMENDATION:**

Based upon the above and foregoing, it is the recommendation of City Attorney's Office that the claim of Ms. Morse in the amount of \$2,993.79, as set forth above, be approved.

JS:pj

Reviewed by: Steve Lewis, City Manager   
Shawn O'Leary, Director of Public Works 

cc: Ellen Usry, Deputy City Clerk

CITY OF NORMAN  
POST OFFICE BOX 370  
NORMAN, OKLAHOMA 73070

## NOTICE OF TORT CLAIM

CLAIMANT: Felicity Morse DATE: 10-27-09  
ADDRESS: 2311 Blue Court CITY: Norman  
STATE: OK ZIP: 73026 PHONE: (H) 321-3315 (W) 343-6169  
DATE OF INCIDENT: 10-23-09  
LOCATION OF INCIDENT: Porter and Acres

## STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

A city of Norman street sweeper backed into my car. The driver neither saw my car or heard my car horn honking. Because of lunch time traffic there was no way for me to get my car out of the way in time.

Case # 09-13940, Investigating Officer: MPO Henry 8310  
(use additional pages if necessary)

## MONETARY STATEMENT: List of expenses claimed for payment:

estimates for repairs  $\leftarrow$  Ferguson Pontiac GMC \$3538.<sup>68</sup> Additional Rental Car expenses to possibly be forthcoming  
Body Works, Inc. \$3064.<sup>17</sup>  
Bob Moore of Norman \$2993.<sup>79</sup>

TOTAL AMOUNT CLAIMED: \$ 2993.<sup>79</sup>

NAME AND ADDRESS OF INSURANCE COMPANY: Liberty Mutual Group 1-800-225-246  
2875 Browns Bridge Rd. P.O. Box 2376 AGENT: Liberty Mutual  
Gainesville, GA 30503

THIS FORM MUST BE SIGNED AND RETURNED WITH ALL REQUESTED INFORMATION IN ORDER TO BE PROCESSED

I SWEAR AND/OR AFFIRM THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT.

Filed in the Office of the City Clerk on:

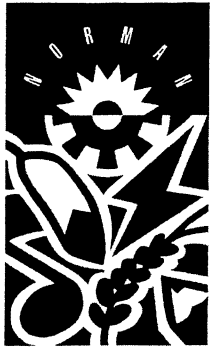
DATE: 10/27/09

TIME: 12:40 PM

SIGNATURE: Ellen Leary  
Deputy City Clerk

Felicity Morse  
CLAIMANT'S SIGNATURE





DATE: October 27, 2009

TO: Jeff Bryant, City Attorney  
Shawn O'Leary, Director of Public Works

FROM: Brenda Hall, City Clerk *BH*

SUBJECT: Claim from Felicity Morse

I am in receipt of a claim from Felicity Morse in the amount of \$2,993.79 for damages to her vehicle due to her claim that on October 23, 2009, she was behind a street sweeper, driven by Robert Felker, at Porter Avenue and Acres Street when it began backing up and struck her vehicle. She states that due to traffic, there was no way to avoid the accident and the driver did not hear her honking her horn to warn him. Ms. Morse also states that additional expenses for a rental car may be forthcoming.

Shawn, I would appreciate your checking with your staff regarding verification of the problem. Please report your findings by written memorandum to me with a copy to Jeff.

Jeff, if it is determined the City has liability in this matter, please signify by writing a report of your recommendations in order that we may schedule this claim as an agenda item.

BH:smr  
attachments

office memorandum

10/26/2009 at 01:16 PM  
82172

Job Number:

**BOB MOORE OF NORMAN**  
Federal ID #:562662912  
BOB MOORE COLLISION CENTER  
2505 W. MAIN ST  
NORMAN, OK 73069  
(405)217-1288 Fax: (405)573-6790

**PRELIMINARY ESTIMATE**

Written By: JIM SNIDER  
Adjuster:

**Insured:** FELICITY MORSE  
**Owner:** FELICITY MORSE  
**Address:** 2311 BLUE COURT  
NORMAN, OK 73026  
**Day:** (405)321-3315

**Claim #**  
**Policy #**  
**Deductible:**  
**Date of Loss:**  
**Type of Loss:**  
**Point of Impact:**

**Inspect**  
**Location:**

**Insurance**  
**Company:**

Days to Repair

2005 HYUN ACCENT GLS 4-1.6L-FI 4D SED Int:

**VIN:** KMHCG45C35U636507 **Lic:**

**Prod Date:**

**Odometer:**

Rear Defogger	Intermittent Wipers	Body Side Moldings
Console/Storage	Clear Coat Paint	Power Steering
Power Brakes	AM Radio	FM Radio
Stereo	Cassette	Search/Seek
Driver Air Bag	Passenger Air Bag	Front Side Impact Air Bag
Cloth Seats	Bucket Seats	5 Speed Transmission
Overdrive	Full Wheel Covers	

NO.	OP.	DESCRIPTION	QTY	EXT.	PRICE	LABOR	PAINT
1		FRONT DOOR					
2	Blnd RT	Door shell					1.1
3	R&I RT	Belt w'strip				0.3	
4	R&I RT	Mirror assy w/o power				0.4	
5	R&I RT	Handle, outside w/o body color				0.3	
6	R&I RT	R&I trim panel				0.4	
7		REAR DOOR					
8*	Rpr RT	Outer panel			8.0		1.8
9		Add for Clear Coat					0.7
10	R&I RT	Belt w'strip				0.3	
11*	R&I RT	Body side mldg "L"			0.3		
12	R&I RT	Handle, outside w/o body color			0.3		
13	R&I RT	R&I trim panel				0.4	
14		QUARTER PANEL					

10/26/2009 at 01:16 PM  
82172

Job Number:

**PRELIMINARY ESTIMATE**

2005 HYUN ACCENT GLS 4-1.6L-FI 4D SED Int:

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
15	Repl	RT Quarter panel	1	476.06	17.5	2.8
16		Overlap Major Adj. Panel				-0.4
17		Add for Clear Coat				0.5
18		TRUNK LID				
19	Blnd	Trunk lid				1.1
20		REAR LAMPS				
21	R&I	RT Combo lamp assy 4 door			Incl.	
22		REAR BUMPER				
23**	Repl	A/M Bumper cover 3 door	1	333.00	1.2	2.6
24		Overlap Major Non-Adj. Panel				-0.2
25		Add for Clear Coat				0.5
26		Deduct for Rear Bumper R&I			-0.8	
27#		HAZARDOUS WASTE DISPOSAL	1	5.00		
28#	Subl	Undercoating	1	10.00	X	
29#	Repl	Corrosion protection	1	10.00	T	
30#	Subl	Four wheel alignment	1	75.00	X	
31#	Repl	Cover car for overspray	1	10.00	T	
Subtotals ==>				919.06	28.6	10.5

Parts		814.06
Body Labor	28.6 hrs @ \$ 42.00/hr	1201.20
Paint Labor	10.5 hrs @ \$ 42.00/hr	441.00
Paint Supplies	10.5 hrs @ \$ 32.00/hr	336.00
Sublet/Misc.		105.00

SUBTOTAL		\$ 2897.26
Sales Tax	\$ 1170.06 @ 8.2500%	96.53

GRAND TOTAL		\$ 2993.79
-------------	--	------------

ADJUSTMENTS:

Deductible		0.00
------------	--	------

CUSTOMER PAY		\$ 0.00
--------------	--	---------

INSURANCE PAY		\$ 2993.79
---------------	--	------------

All damages parts replaced become property of Bob Moore Collision Centers for further inspection by insurance companies.

Signed \_\_\_\_\_.

Date \_\_\_\_\_.

DO NOT WRITE IN THIS SPACE

## Incident Report

Investigation Completed

Investigation Made at Scene

Photographs

Y	N	Pg	1	of	4
<input checked="" type="checkbox"/>	<input type="checkbox"/>				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Revised	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fatality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hit and Run	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

## OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

COMPLETE

13940-09

V062-1 JK 0527 C

(1) Reporting Agency NORMAN Police Department		Case Number (Agency Use) 2009-13940		Motor Vehicles Involved 02		Number Injured 00		Number Killed 00	
(2) Date of Collision (mm/dd/yyyy) 10/23/2009		Time 11:28		County Number and Name 14 CLEVELAND		Nearest City or Town Number and Name In 20 NORMAN			
(3) Distance from Nearest City or Town Limits Mi. 0 N 0 S 0 E 0 W 0		Control # 0054		Int ID 00		Location 00		Administrative 00	
(4) Street, Road or Highway Porter AVENUE		Distance from At 0054		(Nearest) Intersecting Street, Road or Highway Mi. 0 N 0 S 0 E 0 W 0 of ACRES Street					
(5) Unit 0100D		Occupants Type Hit & Run CMV		Last Name FELKER		First Robert		Middle Allen	
(6) Address 203 E EIM Street		City Noble		State OK		Zip 73068		Telephone (Use Area Code) 4057789987	
(7) Driver License Number [REDACTED]		State OK		Class Endorsement(s) B		Restriction(s) 1		Inj. Sev. 1	
(8) Ejected Extricated Test (% BAC) Transported by To Medical Facility Air 1 1 1 50.0		License Plate Number 3-53368		State OK		Month 12		Year 2009	
(9) VIN 1FVAB3BV72DH73916		Vehicle Year 2002		Color WHI		2nd Color 0		Make FRHT	
(10) Insurance Company Name 4 EXEMPT		Policy Number 4053211600		Insurance Telephone (Use Area Code) 4053211600					
(11) Vehicle Removed by Driver [REDACTED]		Owner's Last Name City of NORMAN		First Middle Initial					
(12) Owner's Address P.O. Box		City NORMAN		State OK		Zip 73070		Towed Veh. Type Oversized Load 0 00	
(13) Citation Number 484920		Statute/Ordinance Number 20-511		Citation Number		Statute/Ordinance Number			
(14) Unit 0201D		Occupants Type Hit & Run CMV		Last Name MORSE		First Felicity		Middle Anne	
(15) Address 9700 Willow Wind Drive		City Midwest city		State OK		Zip 73130		Telephone (Use Area Code) 4053213315	
(16) Driver License Number [REDACTED]		State OK		Class Endorsement(s) D		Restriction(s) 1		Inj. Sev. 1	
(17) Ejected Extricated Test (% BAC) Transported by To Medical Facility Air 1 1 1 50.0		License Plate Number 356EQB		State OK		Month 06		Year 2010	
(18) VIN KMHCG4SC35U636S07		Vehicle Year 2005		Color GRY		2nd Color 0		Make HYUN	
(19) Insurance Company Name 2 Liberty Mutual		Policy Number A02-298-233778-40		Insurance Telephone (Use Area Code) 8002252467					
(20) Vehicle Removed by Driver [REDACTED]		Owner's Last Name City of NORMAN		First Middle Initial					
(21) Owner's Address [REDACTED]		City [REDACTED]		State [REDACTED]		Zip [REDACTED]		Towed Veh. Type Oversized Load 0 00	
(22) Citation Number [REDACTED]		Statute/Ordinance Number [REDACTED]		Citation Number		Statute/Ordinance Number			
(23) Investigating Officer MPO J. HENRY		Badge Number 8310		Troop/Div. [REDACTED]		Reviewed by (Init.) [REDACTED]		Reviewer Badge Number 9711	
Date of Report (mm/dd/yyyy) 10/23/2009									
Unit Type D Driver P Pedestrian X Pedestrian Conveyance B Bicyclist		Injury Severity N/A 1 No Injury 2 Possible 3 Non-Incapacitating 4 Incapacitating 5 Fatal 9 Unknown		Type of Injury 0 N/A 1 Head 2 Trunk 3 Internal 4 Arms 5 Legs 9 Unknown		Driver/Pedestrian Condition 00 Not Applicable 01 Apparently Normal 02 Drinking - Ability Impaired 03 Odor of Alcohol/Beverage 04 Illegal Drugs 05 Under the Influence of 06 Drowsy/Fatigued 07 Medications 08 Emotional 09 Dizziness/Faint 10 Other 99 Unknown		Occupant Protection (OP) In Use 00 Not Applicable 01 None Used 02 Lap Belt Only 03 Shoulder Belt Only 04 Shoulder and Lap Belt 05 Child Restraint Type Unknown 06 Restraint Used - Type Unknown 07 Helmet 08 Child Restraint - Forward Facing 09 Child Restraint - Rear Facing	
Air Bag Deployed 0 Not Deployed 1 Deployed - Front 2 Deployed - Side 3 Deployed - Other (knee, air belt, etc.) 4 Deployment Unknown		Ejected 0 Not Ejected 1 Ejected 2 Ejected - Partially		Extricated 0 N/A 1 No 2 Yes		Chemical Test 0 N/A 1 Blood 2 Breath 3 Blood/Breath 4 Test Refused 5 None Given 6 Other		Extent of Damage 0 N/A 1 None 2 Minor 3 Functional 4 Disabling 9 Unknown	
Insurance Verification 0 N/A 1 Operator 2 Exempt 3 Permitted		Oversized Load 0 N/A 1 Not Permitted P Permitted		Towed Vehicle Type 00 N/A 01 Boat Trailer 02 House Trailer 03 Farm Trailer 04 Horse Trailer 05 Another Vehicle 06 Utility Trailer 07 Homemade Trailer 08 Box Trailer 09 Stock Trailer 10 Camping Trailer 11 Combination Trailer 12 Other 99 Unknown					

WARNING - STATE LAW

Use of contents for commercial solicitation is unlawful

DPS: 0192-08-EV 0107

(24) Unit	Injured <input type="checkbox"/> Witness <input checked="" type="checkbox"/>	Passenger <input type="checkbox"/> Prop. Owner <input type="checkbox"/>	Pos in Veh.	Last Name	First	Middle Initial	Date of Birth (mm/dd/yyyy)	Sex
				OWEN	JERRY	Dwight	05/29/1943	M
(25) Address	Same as Driver <input type="checkbox"/>		City		State	Zip	Telephone (Use Area Code)	
912 E. MAIN STREET			NORMAN		OK	73071	4058813391	
(26) Injury Severity / Type	OP Use	Air Bag Ejected	Extricated	Transported by	To Medical Facility	Property Type		
(27) Unit	Injured <input type="checkbox"/> Witness <input checked="" type="checkbox"/>	Passenger <input type="checkbox"/> Prop. Owner <input type="checkbox"/>	Pos in Veh.	Last Name	First	Middle Initial	Date of Birth (mm/dd/yyyy)	Sex
				MORRISON	CYNTHIA	LEA	06/10/1964	F
(28) Address	Same as Driver <input type="checkbox"/>		City		State	Zip	Telephone (Use Area Code)	
3113 E. TECUMSEH ROAD			NORMAN		OK	73071	4053603466	
(29) Injury Severity / Type	OP Use	Air Bag Ejected	Extricated	Transported by	To Medical Facility	Property Type		
(30) Unit	Injured <input type="checkbox"/> Witness <input type="checkbox"/>	Passenger <input type="checkbox"/> Prop. Owner <input type="checkbox"/>	Pos in Veh.	Last Name	First	Middle Initial	Date of Birth (mm/dd/yyyy)	Sex
(31) Address	Same as Driver <input type="checkbox"/>		City		State	Zip	Telephone (Use Area Code)	
(32) Injury Severity / Type	OP Use	Air Bag Ejected	Extricated	Transported by	To Medical Facility	Property Type		
(33) Unit	Injured <input type="checkbox"/> Witness <input type="checkbox"/>	Passenger <input type="checkbox"/> Prop. Owner <input type="checkbox"/>	Pos in Veh.	Last Name	First	Middle Initial	Date of Birth (mm/dd/yyyy)	Sex
(34) Address	Same as Driver <input type="checkbox"/>		City		State	Zip	Telephone (Use Area Code)	
(35) Injury Severity / Type	OP Use	Air Bag Ejected	Extricated	Transported by	To Medical Facility	Property Type		

Complete information below if this vehicle is being used for COMMERCE/BUSINESS and has a GVWR/GCWR IN EXCESS OF 10,000 LBS., or has a HAZMAT PLACARD, or is a BUS WITH SEATING FOR NINE OR MORE INCLUDING THE DRIVER

(36) Unit	Carrier Name	Address				
(37) City	State	Zip	GVWR <input type="checkbox"/> 0 - 10K lbs. GCWR <input type="checkbox"/> 10,001 - 26K lbs. 26K+ lbs.	Axle Qty.	Cargo Body	Vehicle Use
						Interstate Commerce <input type="checkbox"/> Intrastate Commerce <input type="checkbox"/> Other Non-Commercial <input type="checkbox"/> Government <input type="checkbox"/>
(38) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release	
	OK			Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
(39) Unit	Carrier Name	Address				
(40) City	State	Zip	GVWR <input type="checkbox"/> 0 - 10K lbs. GCWR <input type="checkbox"/> 10,001 - 26K lbs. 26K+ lbs.	Axle Qty.	Cargo Body	Vehicle Use
						Interstate Commerce <input type="checkbox"/> Intrastate Commerce <input type="checkbox"/> Other Non-Commercial <input type="checkbox"/> Government <input type="checkbox"/>
(41) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release	
	OK			Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

<b>Position in Vehicle</b>  00. Not Applicable 18. Front Row - Other 28. Second Row - Other 38. Third Row - Other 48. Fourth Row - Other 50. Sleeper Section of Truck Cab See manual for additional seating examples	<b>Vehicle Configuration</b> 00. N/A 01. Passenger Veh. - 2 Dr 02. Passenger Veh. - 4 Dr 03. Passenger Veh. Conv. 04. Pickup 05. Single Unit Truck, 2 axles 06. Single Unit Truck, 3+ axles 07. School Bus 08. Truck/Trailer 09. Truck-Tractor (Bobtail) 10. Truck-Tractor/ Semi-Trailer 11. Truck-Tractor/ Double 12. Truck-Tractor/ Triple 13. Bus/Large Van 9-15 occupants including driver 14. Bus 16+ occupants including driver 15. Motorcycle 16. Motor Scooter/ Moped 17. Motor Home 18. Farm Machinery 19. ATV 20. SUV 21. Passenger Van 22. Truck more than 10,000 lbs., Cannot Classify 23. Van 10,000 lbs. or Less 24. Other 99. Unknown	<b>Cargo Body Type</b> 00. N/A 01. Bus 9-15 seats 02. Bus 16+ seats 03. Van / Enclosed Box / Stock Trailer 04. Cargo Tank 05. Flatbed 06. Intermodal 07. Dump Truck/ Trailer 08. Concrete Mixer 09. Auto Transporter 10. Garbage/Refuse 11. Hopper (grain/ chips/gravel) 12. Pole Trailer 13. Log Trailer 14. Vehicle Towing Vehicle 15. Other 99. Unknown
--	--	---

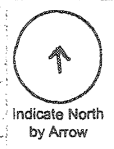
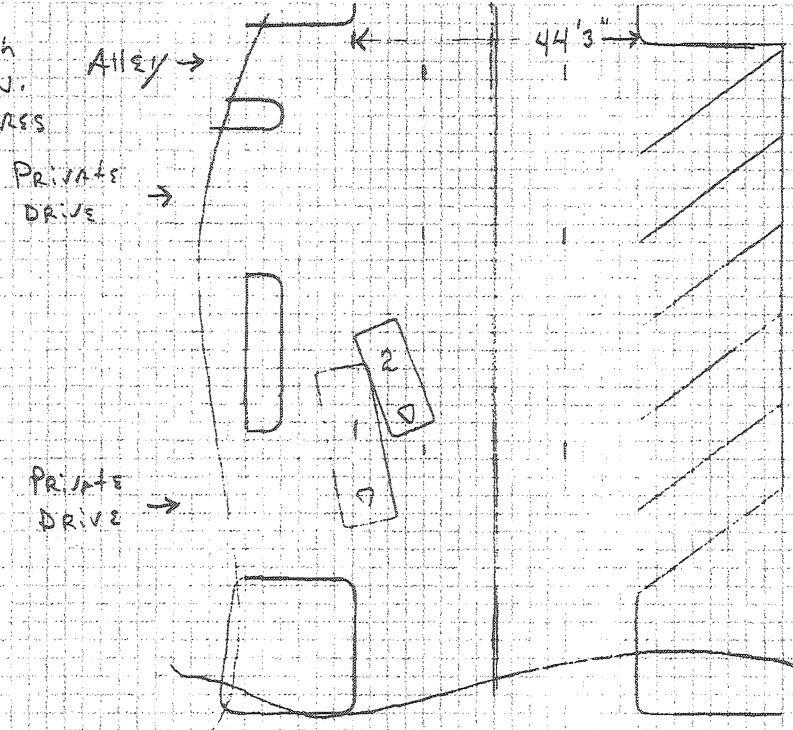
Unit		Total Lanes in Roadway	Legal Speed	Pedestrian / Pedalcyclist Only				Was the collision in or near a construction, maintenance or utility work zone? (If yes, complete this section)		
Unit 1	Unit 2			Actions Prior to Collision	Location at Time of Collision	Safety Equip.	Unit Number of Vehicle Striking	Yes	No	
01	04	30								
02	04	30								
This unit will correspond to "Unit 1"										
This unit will correspond to "Unit 2"										
Light		1	What Vehicle Was Going to Do		Underride/Override		Type of Work Zone			
1 Daylight		1	Unit 1	Unit 2	Unit 1		Unit 2	Location of the Work Zone Collision		
2 Dark-Not Lighted			1	01	1		1	1 Before the First Work Zone Warning Sign		
3 Dark-Lighted								2 Advance Warning Area		
4 Dawn								3 Transition Area		
5 Dusk								4 Activity Area		
6 Dark-Unknown Lighting								5 Termination Area		
7 Other								9 Unknown		
9 Unknown										
Weather		03	What Vehicle Did		Traffic Control		Workers Present			
01 Clear			Unit 1	Unit 2	Unit 1		Unit 2	Yes		
02 Fog/Smog/Smoke			1	18	00		00	No		
03 Cloudy								Unknown		
04 Rain										
05 Snow										
06 Sleet/Hail (Freezing Rain/Drizzle)										
07 Severe Crosswind										
08 Blowing Snow										
09 Blowing Sand, Soil, Dirt										
10 Other										
99 Unknown										
Locality		2	What Vehicle Did		Road Surface Conditions		Vehicle Removal			
1 Residential			Unit 1	Unit 2	Unit 1		Unit 2	Unit 1		
2 Business			1	18	00		00	4		
3 Industrial								4		
4 School										
5 Not Built-up										
6 Mixed Use										
7 Other										
9 Unknown										
Type of Intersection		0	Visibility Obscured by		Road Character		Vehicle Condition			
0 Not an Intersection			Unit 1	Unit 2	Unit 1		Unit 2	Unit 1		
1 Y-Intersection			15	00	1		1	01		
2 T-Intersection								01		
3 Four-Way Intersection										
4 Five-Point or More Intersection as Part of Interchange										
5 Traffic Circle										
6 Roundabout										
9 Unknown										
Incident Type		00	Road Alignment		Special Function of Vehicle		Unsafe / Unlawful Contributing Factors			
00 Not an Incident			Unit 1	Unit 2	Unit 1		Unit 2	Unit 1		
51 Private Property			1	1	1		1	85		
52 Deliberate Intent								98		
53 Medical Condition										
54 Legal Intervention										
55 Suicide										
57 Drowning										
58 Other										
Location of First Harmful Event		01	Road Surface Type		Emergency Vehicle Responding to an Emergency		Point of First Contact on Vehicle			
01 On Roadway			Unit 1	Unit 2	Unit 1		Unit 2	Unit 1		
02 Shoulder			0	0	0		0	08		
03 Median								05		
04 Roadside										
05 Gore										
06 Separator										
07 Parking Lane/Zone										
08 Off Roadway, Location Unknown										
09 Outside Right-of-Way										
10 Other										
99 Unknown										
Driver Distracted by		Road Surface Type		Emergency Vehicle Responding to an Emergency		Point of First Contact on Vehicle		Most Damaged Area		
0 Not Applicable/None		Unit 1		Unit 2	Unit 1		Unit 2	Unit 1		
1 Electronic Communication Devices		2		2	0		0	08		
2 Other Electronic Device								05		
3 Other Inside Vehicle										
4 Other Outside Vehicle										
9 Unknown										
1 Concrete										
2 Asphalt										
3 Gravel										
4 Dirt										
5 Brick										
6 Other										
9 Unknown										
0 Not Applicable										
14 Undercarriage										
99 Unknown										

Case Number 2009-13940

Pg 4 of 4

Latitude       N Longitude       W Railroad Crossing Number       Roadway Orientation Unit Number   NE SW  N Unit Number   NE SW  S

P.O.I. 54' North  
2' East of N.W.  
CORNER OF ACRES  
STREET AT  
PORTER AVENUE.



COLLISION EVENTS

Unit	First Event	Second Event	Third Event	Fourth Event	Most Harmful Event	First Harmful Event for the Entire Collision
01	34	00	00	00	34	34
02	34	00	00	00	34	

00 Not Applicable  
10 Overturn/Rollover  
11 Fire/Explosion  
12 Immersion  
13 Jackknife  
14 Cargo/Equipment Loss or Shift  
15 Equipment Failure (Blown Tire, Brake Failure, etc.)  
16 Separation of Units  
17 Departed Road Right  
18 Departed Road Left  
19 Cross Median/Centerline  
20 Downhill Runaway  
21 Fell/Jumped From Motor Vehicle  
22 Thrown Or Falling Object  
23 Other Non-Collision  
**PERSON, MOTOR VEHICLE, OR NON-FIXED OBJECT:**  
30 Pedestrian  
31 Pedal Cycle  
32 Railway Vehicle (train, engine)  
33 Animal  
34 Motor Vehicle in Transport  
35 Parked Motor Vehicle  
36 Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle

- 37 Work Zone/Maintenance Equipment
- 38 Other Non-Fixed Object
- FIXED OBJECT:**
- 40 Barrier (Cable)
- 41 Barrier (Concrete)
- 42 Barrier (Other)
- 43 Fence Pole
- 44 Fence
- 45 Traffic Signal Support
- 46 Traffic Sign Support
- 47 Utility Pole/Light Support
- 48 Other Post/Pole/Support
- 49 Guardrail/Guardrail Face
- 50 Guardrail End
- 51 Culvert
- 52 Curb
- 53 Island
- 54 Sand Barrels
- 55 Impact Attenuator/ Crash Cushion
- 56 Pavement Drop-Off
- 57 Ditch
- 58 Embankment
- 59 Tree (Standing)
- 60 Dividing Strip
- 61 Retaining Wall
- 62 Bridge Abutment
- 63 Bridge Pier or Support
- 64 Bridge Rail
- 65 Bridge Post
- 66 Bridge Curb
- 67 Bridge Super Structure (Beams)
- 68 Bridge Overhead Structure
- 69 Delineator
- 70 Mailbox
- 71 Other Fixed Object
- 72 Other Highway Structure
- 73 Ground
- 99 Unknown

Remarks

A Veh 1 S/B IN OUTSIDE LANE 500 N. PORTER AVENUE, STOPPED AND NOT SEEING Veh 2 AT FULL STOP BEHIND HIM BACKED UP. Veh 2 DRIVER SEEING Veh 1 STARTING TO BACK UP TRIED TO CHANGE INTO INSIDE S/B LANE 500 N. PORTER TO AVOID ACCIDENT BUT WAS STRUCK BY LEFT REAR FENDER AND TIRE OF Veh 1 ON RIGHT REAR BUMPER-FENDER AREA AS Veh 1 BACKED UP.

This report is based on the officer's investigation of this collision. This report may contain the opinion of the officer.



9. ITEM: CHANGE ORDER NO. ONE TO CONTRACT NO. K-0910-25: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL CONTRACTING SERVICES, INC., INCREASING THE CONTRACT AMOUNT BY \$103,896 TO INCLUDE THE RELOCATION OF A SEWER LINE AT THE REQUEST OF THE UTILITIES DEPARTMENT, WHICH IS CURRENTLY LOCATED UNDER ROBINSON STREET AS PART OF THE CONTRACT FOR THE ROBINSON STREET GRADE SEPARATION WATER/SEWER LINE RELOCATION PROJECT AND BUDGET TRANSFER.

INFORMATION: City Council, in its meeting of July 14, 2009, approved Contract No. K-0910-25 with Central Contracting Services, Inc., in the amount of \$486,095 for the above described project. The Utilities Department has requested that a project be added to the scope of services. Change Order No. One increasing the contract amount by \$103,896 will add the relocation of a 10-inch sewer line located east of Fay Avenue extending under Robinson Street at a relatively shallow depth. The sewer line will be extended further east along the north side of Robinson Street and connect at Peters Avenue at a steeper slope and the existing 10-inch sewer line will be abandoned. Change Order No. One has been examined by the Assistant City Attorney and found to be in order and proper as to form. Staff recommends approval of the change order. Copies of an advisory memorandum, location map, change order, and purchase requisition are included in the Agenda Book.

ACTION NEEDED: Acting as the City Council and the Norman Utilities Authority, motion to approve or reject Change Order No. One to Contract No. K-0910-25 with Central Contracting Services, Inc., increasing the contract amount by \$103,896; and, if approved, authorize the execution thereof and transfer \$103,896 from Project No. WW0055, Sewer Maintenance Plan FYE 10, Design (321-9338-432.62-01) to Project No. WW0203, Robinson Underpass Sewer, Construction (321-9065-432.61-01).

ACTION TAKEN: \_\_\_\_\_





# office memorandum

**Date:** November 23, 2009

**To:** Honorable Mayor and Councilmembers

**From:** John Clink, Capital Projects Engineer, Department of Public Works  
Mark Daniels, Utilities Engineer, Department of Utilities

**Subject:** Agenda Item – 1. Approval of Transfer of funds for the Robinson Street Underpass Water and Sewer Relocation Project.

2. Approval of Change Order No. 1 to Contract K-0910-25 for Robinson Street Underpass Water and Sewer Relocation Project.

## **BACKGROUND:**

The Robinson Street Underpass Project is a General Obligation Bond Project that was approved by the voters in March, 2005. The project boundaries are approximately 500 feet east of Flood Avenue to 500 feet east of Stubbeman Avenue. The City secured federal funding for the above-referenced project from four sources: the Transportation and Community and System Preservation (TCSP) Program, two (2) line items in the SAFETEA-LU legislation, which was signed into law by the President of the United States in 2005, Association of Central Oklahoma Governments (ACOG) and Stimulus Funding.

On September 23, 2008, City Council approved Contract No. K-0809-51, a right-of-way and utility agreement with the Oklahoma Department of Transportation (ODOT) for the Robinson Street Underpass. That agreement requires the City to acquire right-of-way and relocate utilities for the Robinson Street Underpass Project to avoid conflicts with the upcoming roadway and bridge construction. On July 14, 2009, Council approved Contract K-0910-25 with Central Contracting of Norman in the amount of \$486,095 for the Robinson Street Underpass Water and Sewer Relocation Project.

## **DISCUSSION:**

The City Utilities Department recently requested that the 10-inch sewer line being relocated in conjunction with the Robinson Street Underpass project be extended approximately 650 feet east to Jones Avenue rather than connecting to the existing sewer in the middle of Robinson Street. The existing 10-inch sewer east of Fay Avenue is installed under Robinson Street at a relatively shallow depth. Extending the new sewer line further east along the north side of Robinson and connecting at Jones will allow the new sewer to be installed at a steeper slope enhancing sewer flow and allowing the existing 10-inch sewer line to be abandoned. The proposed Robinson sewer crossing at Jones can be approximately seven feet deeper than it currently exists; this may allow future sewer improvements to correct inadequate slopes in Sooner Homes Addition directly north of Robinson. This neighborhood is scheduled for sewer line rehabilitation in this fiscal year.

The cost associated with this change order is \$103,896. Funds for this work are available in the Sewer Maintenance Fund, Sewer Maintenance Plan FYE 2010, Design (Account No. 321-9338-432.62-01, Project No. WW0055). If Change Order No. 1 is approved, these funds need to be transferred to Sewer Maintenance Fund, Robinson Street Underpass, Sewer Line (Account No. 321-9065-432.61-01, Project No. WW0203).





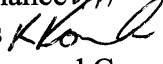
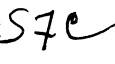

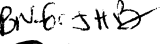

If Change Order No. 1 is approved, the contractor has committed to beginning work on the project immediately. Therefore, this additional utility work will not delay the Robinson Street Underpass Project in any way.

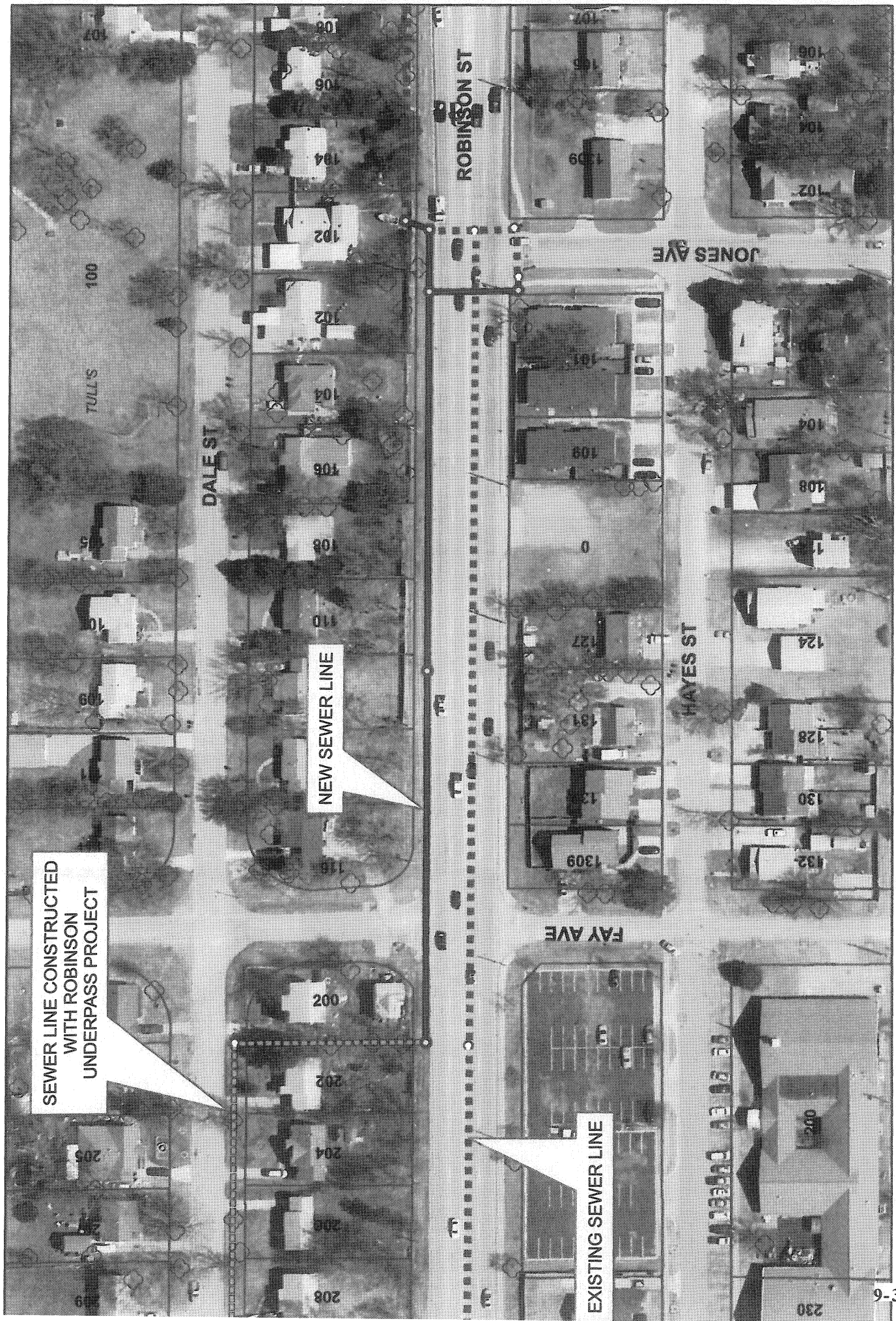
**RECOMMENDATION No. 1:**

Staff recommends \$103,896 of the funds budgeted for the Sewer Maintenance Fund, Sewer Maintenance Plan FYE 2010, Design (Account No. 321-9338-432.62-01, Project No. WW0055) be transferred to Sewer Maintenance Fund, Robinson Street Underpass, Sewer Line (Account No. 321-9065-432.61-01, Project No. WW0203).

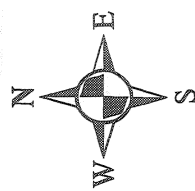
**RECOMMENDATION No. 2:**

Staff recommends approval of Change Order No. 1 increasing Contract No. K-0809-41 by \$103,896.

Reviewed by: Bob Hanger, City Engineer   
Shawn O'Leary, Public Works Director   
Clint Mercer, Chief Accountant   
Anthony Francisco, Director of Finance   
Ken Komiske, Director of Utilities   
Susan Connors, Director of Planning and Community Development   
Linda Price, Revitalization Manager   
Jeff Bryant, City Attorney   
Steve Lewis, City Manager 



**Site Map**  
**SEWER RELOCATION ON ROBINSON ST.**



1 inch equals 100 feet

CHANGE ORDER SUMMARY  
CITY OF NORMAN  
CLEVELAND COUNTY, OKLAHOMA

CHANGE ORDER NO. 1

DATE: November 19, 2009

CONTRACT NO.: K-0910-25

SUBMITTED BY: John Clink

PROJECT: Robinson Street and BNSF Railway Underpass Water & Sewer Line Relocation

CONTRACTOR : Central Contracting.  
17301 South Sunnyslane  
Norman, OK 73071

Original Completion Date December 15, 2009

Previous Completion Date N/A ORIGINAL CONTRACT AMOUNT \$ 486,095.00

(Increase) this change order 30 Calendar days

New Completion Date January 15, 2010 PRESENT CONTRACT AMOUNT \$ 486,095.00

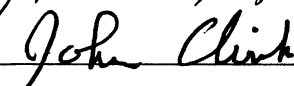
DESCRIPTION	DECREASE	INCREASE
See Attached "Change Order Detail"	<u>\$0</u>	<u>\$103,896.00</u>

NET CHANGE \$103,896.00

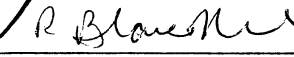
REVISED CONTRACT AMOUNT \$589,991.00

CONTRACTOR: 

DATE: 12/1/09

ARCH./ENGINEER: 

DATE: 12/1/09

CITY ATTORNEY: 

DATE: 12-3-09

ACCEPTED BY: \_\_\_\_\_  
(Mayor)

DATE: \_\_\_\_\_

CHANGE ORDER DETAIL  
CHANGE ORDER NO. 1  
City of Norman  
Cleveland Co., Oklahoma

Project Name Robinson Street Underpass Water & Sewer Line Relocation

Design Engineer HNTB

Address/Phone: 7450 West 130<sup>th</sup> Street Suite 400

Overland Park, KS 66213

918-312-4894

Project Account Number's 050-9065-431-67-01

Contract No. K-0910-25

A. Change Orders or addenda to public construction contracts of One Million Dollars (\$1,000,000.00) or less shall not exceed a fifteen percent (15%) cumulative increase in the original contract amount.

B. Change orders or addenda to public construction contracts of over One Million Dollars (\$1,000,000.00) shall not exceed the greater of One Hundred Fifty Thousand Dollars (\$150,000.00) or a ten percent (10%) cumulative increase in the original contract amount.

C. Change orders or cumulative change orders which exceed the limits of subsection A or B of this section shall require a re-advertising for bids on the incomplete portions of the contract.

H. All change orders shall contain a unit price and total for each of the following items:

1. All materials with cost per item;
2. Itemization of all labor with number of hours per operation and cost per hour;
3. Itemization of all equipment with the type of equipment, number of each type, cost per hour for each type, and number of hours of actual operation for each type;
4. Itemization of insurance cost, bond cost, social security, taxes, workers' compensation, employee fringe benefits and overhead cost; and
5. Profit for the contractor.

I. 1. If a construction contract contains unit pricing, and the change order pertains to the unit price, the change order will not be subject to subsection A or B of this section.

2. When the unit price change does not exceed Ten Thousand Dollars (\$10,000.00), the unit price change order computation may be based on an acceptable unit price basis in lieu of cost itemization as required in paragraphs 1,2,3,4 and 5 of subsection H of this section.

J. Alternates or add items bid with the original bid and contained in the awarded contract as options of the awarding public agency shall not be construed as change orders under the provisions of the Public Competitive Bidding Act of 1974.

## DETAILED COST ITEMIZATION

CHANGE ORDER NO. 1 (Continued)PROJECT NAME Robinson Street Underpass Water & Sewer Line Relocation

Item No.	Description	Decrease	Increase
1	Bore with 20" Steel Pipe Encasement 70 LF @ \$215/LF		\$15,050.00
9	10" Sanitary Sewer Line 656 LF @ \$27/LF		\$17,712.00
20	4 Ft Dia Manhole 5 ea @ 2,500 EA		\$12,500.00
29	Street & Driveway Repair (Concrete) 30 SY @ \$45/SY		\$1,350.00
34	Type "A" Ag backfill 875 CY @ \$28/CY		\$24,500.00
	<b>NEW ITEMS OF WORK</b>		
1a	Sewer Service Line Connection 9 EA @ \$450 EA		\$4,050.00
2a	Curb 600 LF @ \$6/LF		\$3,600.00
3a	Manhole Tie In 2 EA @ 2,500 EA		\$5,000.00
4a	12" Sanitary Sewer Line 72 LF @ \$27/LF		\$1,944.00
5a	Unclassified Excavation 1069 CY @ \$10/CY		\$10,690.00
6a	Construction Staking L SUM @ \$2,500		\$2,500.00
7a	Traffic Control L SUM @ \$ 5,000		\$5,000.00
	Sub Total	\$0.00	\$103,896.00
	Total Increase		\$103,896.00

PURCHASE REQUISITION NBR: 0000165209

REQUISITION BY: JOHN CLINK  
SHIP TO LOCATION: PUB WKS- ENGINEERING  
STATUS: DIVISION APPROVAL  
REASON: CHANGE ORDER #1 TO CONTRACT K-0910-25  
DATE: 12/01/09  
SUGGESTED VENDOR: 2892 CENTRAL CONTRACTING SERVICES  
DELIVER BY DATE: 12/01/10

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
-------------	-------------	----------	-----	--------------	----------------	--------------------

1	CHANGE ORDER #1 TO CONTRACT K-0910-25 COMMODITY: CONSTRUCTION SERVICES, HE SUBCOMMOD: CONSTRUCTION, UTILITY/UND	103896.00	EA	1.0000	103896.00	
---	---	-----------	----	--------	-----------	--

REQUISITION TOTAL: 103896.00

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	32190654326101 Capital Projects Construction	WM0203 Robinson Underpass Sewer	100.00	103896.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

CONTINGENT ON COUNCIL APPROVAL FOR CHANGE ORDER #1  
TO CONTRACT K-0910-25 ON 12/8/09



10. ITEM: CONTRACT NO. K-0910-116: AN INTERLOCAL COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CITY OF OKLAHOMA CITY, OKLAHOMA, FOR CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS OF THE INTERSECTION OF 60TH AVENUE N.W. AND INDIAN HILLS ROAD (SOUTH WESTERN AVENUE AND SOUTHWEST 179TH STREET IN OKLAHOMA CITY) IN CONNECTION WITH THE TECUMSEH ROAD WIDENING PROJECT, PHASE II.

INFORMATION: The above-described contract has been examined by the Assistant City Attorney and found to be in order and proper as to form. Staff recommends approval of the contract. Copies of an advisory memorandum, location map, and contract are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject Contract No. K-0910-116 with the City of Oklahoma City; and, if approved, authorize the execution of the contract.

ACTION TAKEN: \_\_\_\_\_





# office memorandum

Date: November 23, 2009

To: Honorable Mayor and Councilmembers

From: Lonnie Ferguson, Capital Projects Engineer *LF*

Subject: Agenda Item – Contract Agreement No. K-0910-116 with Oklahoma City for the Tecumseh Road, Phase II, 60<sup>th</sup> Ave. between Tecumseh Rd. and Indian Hills Widening Project.

## BACKGROUND:

The City is pursuing the above-referenced project with the Oklahoma Department of Transportation (ODOT) in order to secure federal funding for construction. The City's share of this project for right-of-way and utilities was originally approved with the 1993 General Obligation (G.O.) Bond Issue. The original U.S. Highway 77G (Tecumseh Road/60th Avenue) Project over the years was split into three (3) phases as federal funding became available. Those three phases were subdivided into five (5) construction contracts. Construction is complete on all phases except Phase II (60<sup>th</sup> Avenue Widening between Tecumseh Road and Indian Hills Road). The original extent of the Phase II portion of this project included 3 miles into Oklahoma City north of Indian Hills Road. The City's portion of the project was subsequently separated from and made an independent project from Oklahoma City's portion. ODOT is funding 100% of the construction for the roadway per K-0809-71 approved by City Council on October 28, 2008. The project will widen 60<sup>th</sup> Avenue NW between Tecumseh Road and Indian Hills Road to 4 lanes.

## DISCUSSION:





Indian Hills Road is the City limit line between the City of Norman and the City of Oklahoma City. The City of Norman is pursuing the construction of this project at a faster pace than Oklahoma City. A new traffic signal is currently needed at Indian Hills Road and 60<sup>th</sup> Avenue NW. ODOT has agreed to fund the construction of the new signal at Indian Hills Road as a part of the City of Norman's project. Since the project was separated from Oklahoma City's portion, a formal agreement is needed with Oklahoma City to address the construction and maintenance of the new signal. Staff has negotiated contract no. K-0910-116 with Oklahoma City to address responsibilities associated with the new signal. The agreement has been prepared and approved by Oklahoma City and three (3) approved copies are needed for execution. The City Attorney's office has reviewed the contract and recommends its approval.

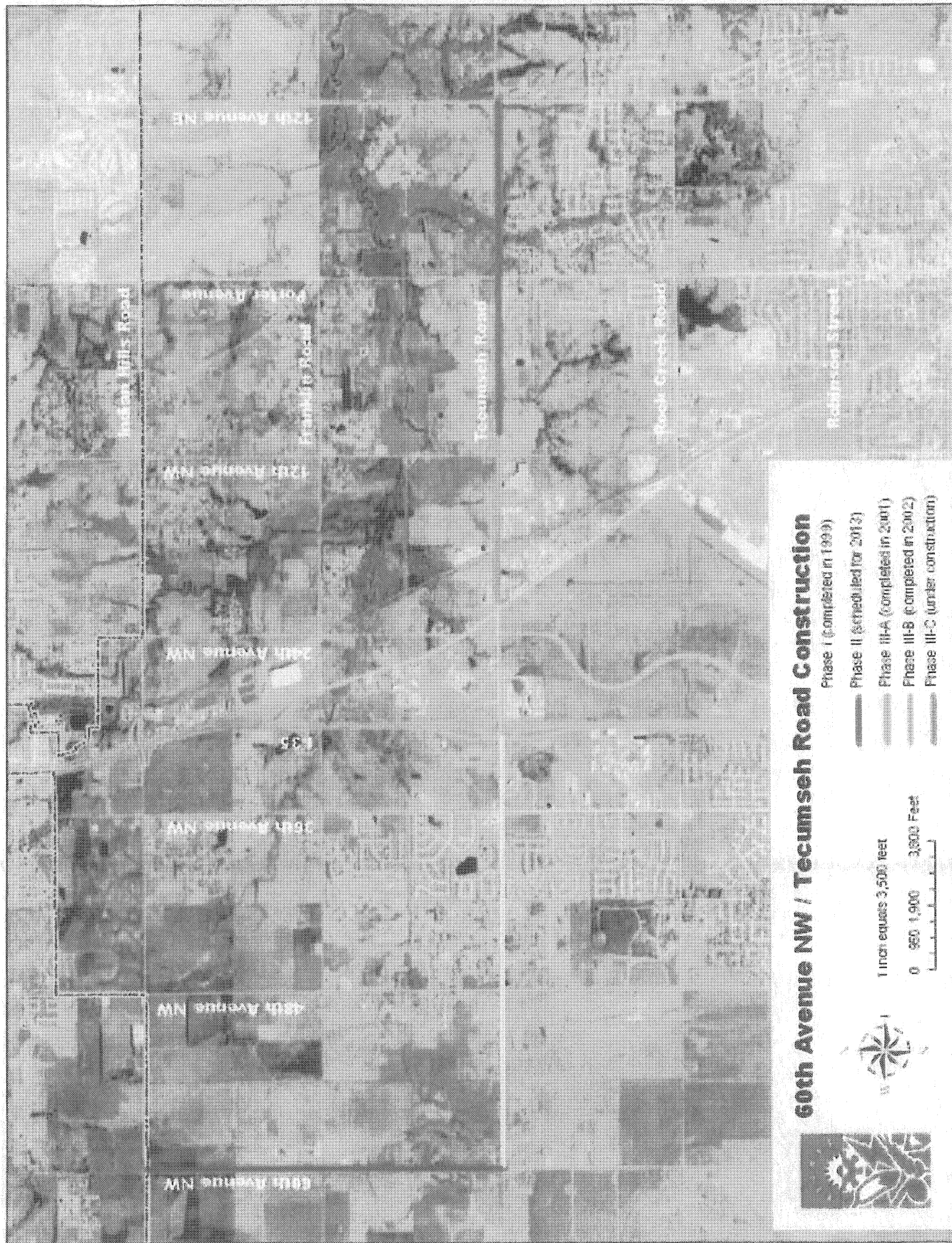
The environmental assessment phase of the 60th Avenue Project is currently underway. The project is currently scheduled for construction in May, 2011. The current ODOT budget for the project is \$4,500,000.

RECOMMENDATION:

Staff recommends that Contract No. K-0910-116 with the City of Oklahoma City addressing the construction and maintenance responsibilities of a new traffic signal at Indian Hills Road and 60<sup>th</sup> Avenue NW be approved.

If

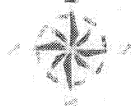
Reviewed by: Bob Hanger, City Engineer   
Shawn O'Leary, Director of Public Works   
Jeff Bryant, City Attorney   
Steve Lewis, City Manager 



# 60th Avenue NW / Tecumseh Road Construction

- Phase I (completed in 1999)
- Phase II (scheduled for 2013)
- Phase III-A (completed in 2001)
- Phase III-B (completed in 2002)
- Phase III-C (under construction)

1 inch equals 3,500 feet  
0 950 1,900 3,500 Feet





**INTERLOCAL COOPERATIVE AGREEMENT  
BY AND BETWEEN  
THE CITY OF OKLAHOMA CITY AND THE CITY OF NORMAN**

**THIS COOPERATIVE AGREEMENT** ("Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2009 by and between The City of Oklahoma City, Oklahoma, a municipal corporation, hereinafter referred to as "Oklahoma City", and The City of Norman, Oklahoma, a municipal corporation, hereinafter referred to as "Norman";

**WITNESSETH**

**WHEREAS**, Oklahoma City and Norman mutually desire to improve the intersection of South Western Avenue and Southwest 179<sup>th</sup> Street in Oklahoma City (60<sup>th</sup> Avenue Northwest and Indian Hills Road in Norman); and,

**WHEREAS**, the city limits line between Oklahoma City and Norman is the centerline of this intersection; and

**WHEREAS**, the City of Norman intends to design a roadway project to improve this intersection (State Project Number SSP-014B (377) SS, Job Piece No. 14392(04) as more particularly described on the diagram incorporated as Attachment "A" (referred herein as the "project") with the cost of such design to be funded 100% by the City of Norman; and

**WHEREAS**, the Oklahoma Department of Transportation has indicated a willingness to participate in the project; and

**WHEREAS**, it is the intent of the Oklahoma Department of Transportation to fund the construction cost of the project; and

**WHEREAS**, the City of Oklahoma City and the City of Norman desire to enter this Agreement and to clarify their contractual relationship to facilitate the process of designing and constructing the aforementioned project.

**NOW, THEREFORE**, in accordance with state law and for the consideration exchanged herein, Oklahoma City and Norman hereby agree as follows:

1. The City of Norman:

- a) Engineering – Norman agrees, subject to the appropriation and encumbrance of necessary funds, to provide environmental clearance, engineering plans, drawings, and specifications to construct the project. Norman agrees to provide Oklahoma City with copies of the completed plans and specifications prior to advertisement of the project for bids by the Oklahoma Department of Transportation. Norman agrees that, as a minimum, design plans and construction of the portion of the project within Oklahoma City shall comply and conform to current Oklahoma City standards and specifications and/or Oklahoma Department of Transportation standards and specifications. In addition, upon completion of the project, Norman agrees to provide Oklahoma City with as-built drawings of the project.
- b) Construction – The plans and specification must be approved by both Norman and the Oklahoma City Engineer before the Oklahoma Department of Transportation advertises for construction bids for the project. After approval of the plans and specifications by Norman and the Oklahoma City Engineer, the Oklahoma Department of Transportation will advertise, award, and construct the project in accordance with the Oklahoma Public Competitive Bidding Act. The Oklahoma Department of Transportation will construct the project in accordance with the approved plans and specifications. The Oklahoma Department of Transportation shall provide the construction contract administration and provide the construction inspection of the project. After consultation with and agreement by both the Oklahoma City Engineer and the Norman City Engineer, the Oklahoma Department of Transportation shall have the right to issue change orders and amendments to the construction contract as necessary for the proper construction of the project. In addition, Oklahoma City and the City of Norman reserves the right to request change orders and amendments to the construction contract as necessary for the proper construction of the project.
- c) Maintenance – Oklahoma City agrees, upon completion of the project, to accept the ownership and future maintenance of the roadway and the intersection within the Oklahoma City limits and Norman agrees to accept the ownership and future

maintenance of the roadway and intersection within the Norman City limits. Also, upon completion of the project, Norman agrees to accept the future maintenance of the traffic devices, markings, lights, and signals in the immediate intersection.

2. The City Of Oklahoma City:

a) Right-of-Way (r/w) – Oklahoma City agrees, subject to the appropriation and encumbrance of necessary funds, to procure and to pay the cost of all right-of-way inside the city limits of Oklahoma City. Oklahoma City will acquire their r/w in accordance with the federal requirements and guidelines so as not to jeopardize federal funding and do so in a timely manner to facilitate the City of Norman's schedule. Oklahoma City will furnish the City of Norman and ODOT any necessary copies as required to get r/w and utility clearance to achieve federal funding.

b) Utilities – As between the parties, Oklahoma City agrees to be responsible for the relocation of any public utilities and any private utilities associated with or necessary for the construction, operation or maintenance of that portion of the project inside the city limits of Oklahoma City and for the cost of any such relocation inside its city limits.

In order to achieve federal funding the City of Norman by contract with ODOT is responsible for all utility relocations for this project. Oklahoma City will furnish both the City of Norman and ODOT utility relocations plans and relocate their facilities in accordance with ODOT requirements to achieve federal funding. Oklahoma City will relocate their facilities in a timely manner to facilitate the City of Norman's schedule.

c) Authorization – Oklahoma City authorizes its City Engineer to approve the plans and approve change orders relating to this Agreement on its behalf.

3. Oklahoma City, Norman and ODOT's share of the project design and construction costs are as follows:

	<u>OKC</u>	<u>Norman</u>	<u>ODOT</u>	<u>Total</u>
Design Fees	\$0	\$293,125	\$75,000	\$368,125
Construction Costs	\$0	\$0	100%	100%

4. The parties hereto agree that neither entity shall be liable for the acts or omissions of the other party or for failure to inspect or supervise the performance of the other party.

5. The parties hereto agree that this Agreement may only be amended or modified by a subsequent written agreement between the parties and cannot be assigned without written permission of the other party.

6. This Agreement will become effective upon the execution hereof by the last party hereto.

7. The parties agree that there are no third party beneficiaries to this Agreement and none shall be deemed to exist or be created. Further the parties agree that no new, different, or additional duty is hereby created or assumed nor any shall new, different, or additional duty to the public be deemed to be created or assumed by the execution of this Agreement.

8. Neither party hereto waives any defenses or rights available pursuant to the governmental tort claim: Act at 51 O.S. § 151 et seq., common law, statutes, or constitutions of the United States or the State of Oklahoma by entering into this Agreement.



**IN WITNESS WHEREOF**, the parties hereto have affixed their hands and seals  
the day and year first above written.

**THE CITY OF OKLAHOMA CITY,  
OKLAHOMA**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**REVIEWED** for form and legality.

\_\_\_\_\_  
Assistant Municipal Counselor


**THE CITY OF NORMAN, OKLAHOMA**

**ATTEST:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**REVIEWED** for form and legality.

  
\_\_\_\_\_  
City Attorney

11. ITEM: CONTRACT NO. K-0910-117: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR STATE-AID PROJECT NO. STP-114B(142)AG, STATE JOB NO. 22140(04) FOR THE LINDSEY STREET WIDENING PROJECT BETWEEN LINCOLN AVENUE AND THE BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS, ADOPTION OF RESOLUTION NO. R-0910-74 AND BUDGET REAPPROPRIATION.

INFORMATION: The above-described contract has been examined by the City Attorney and found to be in order and proper as to form. Staff recommends approval of the contract and adoption of the resolution. Copies of an advisory memorandum, contract, and resolution are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject Contract No. K-0910-117 with the Oklahoma Department of Transportation; and, if approved, adopt Resolution No. R-0910-74 and authorize the execution of the contract and resolution.

ACTION TAKEN: \_\_\_\_\_



**Date:** November 23, 2009

**To:** Honorable Mayor and Councilmembers

**From:** Lonnie Ferguson, Capital Projects Manager *LF*

**Subject:** Agenda Item – 1. Approval of Contract No. K-0910-117, a Right-of-Way and Utility Agreement with Oklahoma Department of Transportation (ODOT) for the Lindsey Street Widening between Lincoln Avenue and the Burlington Northern Santa Fe (BNSF) Railroad tracks, ODOT Project No. STP-114B(142) AG, and Job No. 22140(04)

Approval of Resolution No. R-0910-74 Adopting ODOT Right-of-Way and Utility Agreement for the Lindsey Street Widening, between Lincoln Avenue and the BNSF Railroad tracks

**BACKGROUND:**

The City is pursuing the above-referenced project with the Oklahoma Department of Transportation (ODOT) in order to secure federal funding for construction. The financial commitment from the City of Norman to this project for right-of-way and utilities was originally approved with the 2005 General Obligation (GO) Bond Issue. The project will widen Lindsey Street between Lincoln Avenue and the BNSF Railroad tracks. ODOT requires the City of Norman to enter into a right of way, utility and encroachment agreement in order to secure 80% federal funding for the roadway construction.

**DISCUSSION:**

Prior to acquiring right-of-way and relocating any utilities, ODOT requires the City of Norman to enter into a project agreement and to adopt it by Resolution. Right-of-way plans have been approved and ODOT has requested the approval of the attached agreement.

The agreement addresses the responsibilities for the right-of-way acquisitions and utility relocations of the City and ODOT. The Resolution and agreement have been approved by ODOT and four (4) approved copies are needed for execution. Both the resolution and the agreement have been reviewed and approved by Staff.

Ten (10) small parcels of property will be acquired for this project. It is anticipated that the University of Oklahoma will donate three (3) parcels. The City of Norman has employed the firm of Smith Roberts Land Services to assist with the acquisition process. That process has already begun. In addition, six (6) existing utility systems owned by ONG, at&t, Cox Communications, OG&E, and City of Norman Utilities including water and sewer must be relocated to avoid conflict with the roadway construction. The University of Oklahoma owns and operates their own communications, gas, and electric that may be affected as well. The City of Norman has been utilizing the project design of the firm of Poe and Associates to assist with the utility relocation process. Also, in FYE 2010, the City hired its first full-time Utility Coordinator to closely monitor field activities on projects like this one. The utility relocation field work may begin in May, 2010.

The Lindsey Street Project is currently scheduled to begin construction in February, 2011. The total project cost is estimated to be \$5,807,000. The estimated cost for roadway construction is \$3,672,500 with the City's 20 percent share being \$734,500. Design, right-of-way acquisition and utility relocation costs are projected to be \$1,400,000. The City's share of the project is estimated to be \$2,134,500 or 37 percent of the total estimated project costs. As noted above, funding for this project will come from 2005 GO Bond funds.




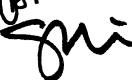
RECOMMENDATION NO.1:

Staff recommends that Contract No. K-0910-117 be approved.

RECOMMENDATION NO. 2:

Staff further recommends approval of Resolution No. R-0910-74 adopting Contract No. K-0910-117, and if approved, authorize the execution thereof.

If

Reviewed by: Bob Hanger, City Engineer   
Shawn O'Leary, Director of Public Works   
Jeff Bryant, City Attorney   
Steve Lewis, City Manager 

**RIGHT-OF-WAY, PUBLIC UTILITY  
AND ENCROACHMENT AGREEMENT**

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the City of Norman, Cleveland County, Oklahoma, hereinafter called the City and the Department of Transportation of the State of Oklahoma, hereinafter called the Department,

Witnesseth:

That for and in consideration of the covenants and agreements hereinafter set forth, it is mutually agreed by and between the parties hereto as follows:

In connection with the location and improvement of a portion of the City Street System within the corporate limits of the City, now designated as widening and construction of Lindsay Street from Jenkins to the BNSF Railroad including new signal at Lindsay Street and George Avenue under plans and specifications for STP-114B(142)AG, Job No. 22140(04).

WHEREAS, legislative authorization and the rules, regulations, and policies of the Department provide the basis of cooperation between the parties to effect such highway improvements.

NOW, THEREFORE, the parties hereto agree as follows:

The City agrees:

1. To the location of said highway, acknowledges receipt of and adopts the plans for said project as the official grade and drainage plans of the Underwriter for the streets, boulevards, or arterial highway included therein. Further, and in addition to the provisions contained elsewhere herein, City hereby grants to the Department access to and the use of all rights-of-way belonging to or controlled by the City and City shall not permit the vacation of any such street, alley or other rights-of-way without the prior written approval of Chief, Right of Way Division, Department of Transportation, State of Oklahoma.

2. That prior to the advertising of the project for bids (as to that part of the project lying within the present corporate limits) it will:
  - (a) Grant to the Department and its contractors, the right-of-entry to all existing streets, alleys, and City owned property when required, and other rights-of-way shown on said plans.
  - (b) Remove at its own expense, or cause the removal of, all encroachments on existing streets as shown on said plans, including all signs, buildings, porches, awnings, porticos, fences, gasoline pumps and islands, and any other such private installations. Said removal shall be accomplished immediately on execution of this agreement and shall include necessary legal action where required.
  - (c) Prohibit parking on that portion of the project within the corporate limits of the Local Public Agency.
  - (d) Comply with the Department's standards for construction of driveway entrances from private property to the highway, in accordance with the Department's manual entitled "Policy on Driveway Regulation for Oklahoma Highways", Rev. 5/96, 69 O.S. (2001) § 1210.
  - (e) Maintain all right of way acquired for the construction of this project, as shown on said plans, in a manner consistent with applicable statutes, codes, ordinances and regulations of the Department and the State of Oklahoma.
3. That City will:
  - (a) Determine and locate, with the Department's approval, a detour route over existing city streets, if a re-routing of traffic or a detour is necessary during the period of construction.
  - (b) Be responsible during or subsequent to construction, for all costs for the operation and any maintenance necessary to the approved detour route over existing City streets, or any other street as a result of additional traffic.
  - (c) Be responsible for all costs for repairs or maintenance to any City street, during or subsequent to construction, which results from additional traffic where construction is performed under traffic.

- (d) To the extent permitted by the **Oklahoma Governmental Tort Claims Act**, Title 51 Oklahoma Statutes, Sections 151 *et seq.* and by Oklahoma Constitution Article 10, section 26 and as otherwise permitted by law, the City shall indemnify and save harmless the Department, its officers and employees, and shall process and defend at its own expense all claims, demands, or suits whether in law or equity brought against the City or the Department arising from the City's execution, performance, or failure to perform, and provisions of this agreement or alleged negligence in the location, design, construction, operation, or maintenance of a portion of the City Street System within the corporate limits of the City. Provided, nothing herein shall require the City to reimburse the Department for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Department. When any alleged act, omission, negligence, or misconduct may be subject to the limitations, exemptions, or defenses which may be raised under the **Oklahoma Governmental Tort Claims Act**, 51 O.S. § 151 *et seq.*, all such limitations, exemptions, and defenses shall be available to and may be asserted by City. No liability shall attach to the Department except as expressly provided herein.
  - e) Comply with all applicable laws and regulations necessary to meet the Oklahoma Department of Environmental Quality (ODEQ) requirements for pollution prevention including discharges from storm water runoff during the planning and design of this project. Further, the City agrees and stipulates as stated in the ODEQ's *General Permit OKR10*, dated September 13, 2002, or latest revision, to secure a storm water permit with the ODEQ, for utility relocations when required. It is agreed that the storm water management plan for the project previously described in the document includes the project plans and specifications, required schedules for accomplishing the temporary and permanent erosion control work, the storm water pollution prevention plan and the appropriate location map contained in the utility relocation plans
4. That subsequent to the construction of said project, City will:
- (a) Keep all permanent right-of-way shown on said plans free from any encroachment and take immediate action to effect the removal of any encroachments upon notification by the Department, including all necessary legal action when required.



- (b) Erect, maintain, and operate traffic control signals, including speed limit and traffic control signs, only in accordance with 47 OS 2001, Section 15-104, 15-105 and 15-106, and subject to the approval, direction and control of the Department.
  - (c) Regulate and control traffic on said project, including but not limited to, the speed of vehicles, parking, stopping, and turns, in accordance with 47 OS 2001, 15-104, et seq. and to make no changes in the provisions thereof without the approval of the Department.
  - (d) Maintain all that part of said project within the corporate limits of the City.
  - (e) The City shall have the authority pursuant to 69 O.S. 2001 § 1001 and 69 O.S. 2001 § 1004 to sell any lands, or interest therein, which were acquired for highway purposes as long as such sale is conducted in accordance with the above cited statutes. Prior written approval by the Chief, Right-of-Way Division for the Department shall be required before any sale is made.
5. That all covenants of this Agreement shall apply to any area hereinafter annexed to the City which lies within the limits of this project.
  6. That it will, by resolution, duly authorize the execution of this Agreement by the proper officials, and attach copies of such resolution to this Agreement.
  7. To acquire all right-of-way, if any, be responsible for the total costs for removing and relocating outdoor advertising signs and for the relocation assistance payments to persons displaced by reason of the acquisition of right-of-way and be responsible for the removal or relocation of all utility lines on public or private rights-of-way to accommodate the construction of this project.
- (a) Transmit copies of the instruments, including all deeds and easements, to the Department prior to the advertisement of bids for construction.

- (b) Comply with the provisions of 42 U.S.C.A. § 4601-4655 and 23 U.S.C.A. § 323 (as amended) and, further comply with 49 C.F.R. Part 24 in the acquisition of all necessary right-of-way and relocation of all displacees.
  - (c) That as a condition to receiving any Federal Financial Assistance from the Department, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252.42 U.S.C. 2000d-35 seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of federally-assisted Program of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964".
8. If the acquisition of right-of-way for this project causes the displacement of any person, business or non-profit organization, the City will provide and be responsible for the Relocation Assistance Program and for all cost associated with the relocation assistance payments. The Department will supply a list of approved service providers qualified to administer the Relocation Assistance Program. The City agrees to employ a service provider from the approved list and comply with all applicable rules, regulations, statutes, policies and procedures of both the United States and the State of Oklahoma. Before any relocation assistance payments are made, all files with parcels requiring relocation shall be audited by the Department. The Department shall be notified in writing within seven (7) days of the date of the offer to the property owner on any parcel which will require relocation assistance. Written notifications of offers to acquire shall be addressed to Project Manager, Right-of-Way Division, Oklahoma Department of Transportation, 200 N. E. 21st Street, Oklahoma City, Oklahoma 73105.

IN CONSIDERATION of the grants and covenants by the City herein contained and the faithful performance thereof by the City, the City agrees to construct said project in accordance with said plans and specifications; provided that the right to review and approve and to make such changes in the plans and specifications as are necessary for the proper construction of said project is reserved to the Department.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, the City on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and the State on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

CITY OF NORMAN

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

REVIEWED AND APPROVED AS TO  
FORM AND LEGALITY

STATE OF OKLAHOMA  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Chief, Legal Division (ODOT)

\_\_\_\_\_  
Director

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT  
BY *R. B. [Signature]* DATE 12-1-07

RESOLUTION

WHEREAS, it appearing reasonable and necessary for the CITY OF NORMAN , CLEVELAND COUNTY, OKLAHOMA, to execute a Right-of-Way, Public Utility and Encroachment Agreement in connection with the construction of a public project known as STP-114B(142)AG J/P 22140(04), in accordance with the terms and tenor of 69 O.S. 2001, Sections 1205, 1206, 1401 and 1403.

NOW, THEREFORE, BE IT RESOLVED by the CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, sitting in regular session that such contract be entered and that a copy of same be hereto attached and made a part hereof by reference, all as provided by law.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

# SUBORDINATION AGREEMENT

Know All Men By These Presents:

That, for and in consideration of the sum of one dollar (\$1.00) and other good and valuable considerations, in hand paid, receipt of which are hereby acknowledged, THE CITY OF NORMAN, an Oklahoma Municipal Corporation, the undersigned, has agreed, and by these present, does agree with Sarah Harding, that the lien of a certain mortgage from Republic Bank, to said Sarah Harding.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and recorded in Book \_\_\_\_\_ at Pages \_\_\_\_\_ of the records of Cleveland County, Oklahoma, upon the following described real property, to-wit:

Lot 6, in Block 1 of Trailwoods Addition Section 1 PUD to Norman, Cleveland County, Oklahoma according to the recorded plat thereof. 728 Grickle Drive.

Shall be prior and superior lien upon said property to the lien of that certain Mortgage on said real property, from said Sarah Harding to THE CITY OF NORMAN, dated August 2, 2006 and recorded in Book 4228 at Pages 1307-1314 of the records of Cleveland County, Oklahoma, and such priority shall be accorded said first above described mortgage, notwithstanding that said mortgage was dated and recorded subsequent to the date and recordation of the said second above described mortgage. If superior mortgage is renewed, extended or assigned, it is still the intent that this Subordination Agreement be enforced.

SIGNED AND AGREED TO THIS 25<sup>th</sup> DAY OF November, 2009.

By: Sarah Harding

State of Oklahoma  
County of Cleveland

This instrument was acknowledged before me on the 25<sup>th</sup> day of November, 2009.

My commission expires: 8-13-11

Kim Giebler  
Notary Public



SIGNED AND AGREED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

THE CITY OF NORMAN, OKLAHOMA

BY: \_\_\_\_\_

Cindy S. Rosenthal, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Hall, City Clerk

Approved as to form and legality this

30th day of November, 2009.

Glenn K. Bunney  
City Attorney's Office

State of Oklahoma  
County of Cleveland

On this \_\_\_\_\_ day of \_\_\_\_\_, 2009, before me, the undersigned, a Notary Public, personally appeared Cindy S. Rosenthal, Mayor for THE CITY OF NORMAN, OKLAHOMA, who executed the foregoing document as his voluntary act and deed of such corporation for the uses and purposes therein set forth.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

12. ITEM: CONTRACT NO. K-0910-120: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND REPUBLIC BANK TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REHABILITATION PROGRAM FOR PROPERTY LOCATED AT 728 GRICKLE DRIVE.

INFORMATION: The above-described contract (subordination agreement) is being requested by Republic Bank in conjunction with a loan secured by the owner of property located at 728 Grickle Drive who had previously received CDBG rehabilitation funding. The contract has been examined by the Assistant City Attorney and found to be in order and proper as to form. Staff recommends approval of the contract. Copies of an advisory memorandum and contract are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject Contract No. K-0910-120 with Republic Bank; and, if approved, authorize the execution of the contract.

ACTION TAKEN: \_\_\_\_\_



DATE: November 19, 2009

TO: Honorable Mayor and Council Members

FROM: Linda Price, Revitalization Manager *LP*

SUBJECT: AGENDA ITEM – Contract No. K-0910-120 (Request for Subordination of Lien)

**BACKGROUND:** In August 2006 the City of Norman HOME Partnership Program provided \$5,000 as downpayment assistance to Sarah Harding for the purchase of a home at 728 Grickle Drive as a part of the NCRC Homebuyer Program. The NCRC Homebuyer Program is operated in conjunction with the Norman Community Reinvestment Council (NCRC), a 501 (c)(3) corporation that is comprised of Norman banking institutions providing assistance to lower income citizens of Norman. Four hundred thirty-three (433) such loans have been made since the program was initiated in 1995 to provide down payment assistance and closing costs to income-qualified Norman citizens in the purchase of their first home.

As a condition of funding, a lien was placed on the property and was filed as a subordinate mortgage to the primary mortgage on the property. Any modification of the primary mortgage requires resubordination of the lien. The program does not require repayment of the loan as long as the applicant maintains their home as their primary residence for five years; and at the end of five years the subordinate mortgage is released.

**DISCUSSION:** Approval of the request for subordination of the lien on 728 Grickle Drive would allow the owner to secure a loan to refinance the primary mortgage that will provide a significantly lower interest rate to reduce the house payment by \$192.52 per month. Documentation from Republic Bank and Trust including a Certification of Mortgage Loan Refinancing, Good Faith Estimate, and a Truth in Lending Disclosure Statement are attached. The Subordination Agreement that will be filed with the new primary loan is also attached. In accord with the adopted City of Norman Housing Handbook, these documents prove that all funds will be used for the refinancing of the home, with no funds going toward payment of debt.

Subordination of the lien would assist in making more money available for the upkeep of the property. The City would maintain a second position on the property. Additionally, the request meets the requirements of our policy to subordinate only for the purposes of lowering payments or improving the home, and the terms and conditions of program participation as described in the subordinate mortgage executed in August 2006 will not be modified.



Agenda Item Memo  
Contract K-0910-120  
Subordination of Lien 728 Grickle Drive  
Page 2 of 2

**RECOMMENDATION:** Approval of Contract No. K-0910-120 for subordination of the lien on 728 Grickle Drive is recommended. Subordination of liens in the HOME Partnership Program is allowed by the Department of Housing & Urban Development and is consistent with program goals.

Reviewed by: Steve Lewis, City Manager



Reviewed by: Susan Connors, Director of Planning & Community Development



Reviewed by: Jeff Bryant, City Attorney



13. ITEM: CONTRACT NO. K-0910-122: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, INC., IN THE AMOUNT OF \$28,229 TO PROVIDE A LEADERSHIP IN POLICE ORGANIZATIONS TRAINING PROGRAM TO POLICE DEPARTMENT SUPERVISORS.

INFORMATION: The above-described contract has been examined by the City Attorney and found to be in order and proper as to form. Staff recommends approval of the contract. Copies of an advisory memorandum, contract, and purchase requisition are included in the Agenda Book.

ACTION NEEDED: Motion to approve or reject Contract No. K-0910-122 with International Association of Chiefs of Police, Inc., in the amount of \$28,229; and, if approved, authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_



**DATE:** December 1, 2009  
**TO:** Honorable Mayor and City Council  
**THROUGH:** Phil Cotten, Chief of Police *PC*  
**FROM:** J.D. Younger, Captain *JDY*  
**SUBJECT:** Agenda Item – Leadership in Police Organizations Contract

**BACKGROUND:**

On September 22, 2009, the Norman City Council approved the appropriation of \$40,000 from the State Seizure Fund Balance with the purpose of providing leadership training to all Norman Police Department (NPD) supervisors. More specifically, the appropriation was to fund an International Association of Chiefs of Police (IACP) leadership program titled Leadership in Police Organizations (LPO).

**DISCUSSION:**

LOP is a highly researched, values-based leadership program designed to improve individual leadership skills and organizational effectiveness. LPO was developed in part through funding from the Office of Community Oriented Policing Services, U.S. Department of Justice. The leadership program is set up to train thirty-six (36) law enforcement officers in a three week training course which is scheduled to begin January 25, 2010 and end February 12, 2010. The remaining funds will be used to send at least two department supervisors to a LPO faculty development workshop following their attendance in the basic LPO. The faculty-trained supervisors will then coordinate and instruct all commissioned personnel in a limited number of leadership topics directed at improving organizational effectiveness and community service.

Approval of the LPO contract with IACP in the amount of \$28,229 will provide a solid foundation for the leadership efforts of the NPD today and in the future. In addition, the Leadership in Police Organization course is a great complement to the City of Norman's efforts to strengthen the Community Policing philosophy.

**RECOMMENDATION:**

It is recommended that Council approve the attached contract for \$28,229 with the International Association of Chiefs of Police to provide Leadership in Police Organizations training to the Norman Police Department. If approved, the funds for the LPO course will come from the State Seizure/Workshops & Seminars expenditure account (025-6035-421.46-04).

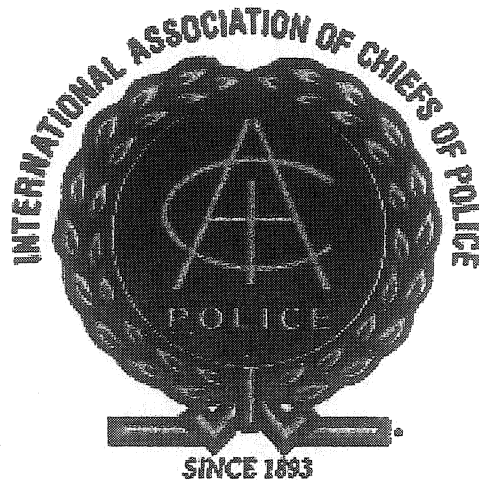
PC/jdy

Reviewed by: Clint Mercer, Chief Accountant *CM*  
Reviewed by: Anthony Francisco, Finance Director *A. Francisco*  
Reviewed by: Jeff Bryant, City Attorney *J. Bryant*  
Reviewed by: Steve Lewis, City Manager *SL*

cc: Ellen Usry, Deputy City Clerk

office memorandum

**CONTRACTUAL AGREEMENT  
BETWEEN THE INTERNATIONAL  
ASSOCIATION OF CHIEFS OF POLICE,  
INC. AND THE CITY OF NORMAN,  
OKLAHOMA**



**AGREEMENT**

This Agreement is entered into between the City of Norman, Oklahoma, a Municipal Corporation, with offices at 201-B West Gray Street, Norman, Oklahoma 73069, hereinafter referred to as the "City," and the International Association of Chiefs of Police, Incorporated, with offices at 515 North Washington Street, Alexandria, Virginia 22314, hereinafter referred to as the "Association."

### AGREEMENT

This Agreement is entered into between the City of Norman, Oklahoma, a Municipal Corporation, with offices at 201-B West Gray Street, Norman, Oklahoma 73069, hereinafter referred to as the "City," and the International Association of Chiefs of Police, Incorporated, with offices at 515 North Washington Street, Alexandria, Virginia 22314, hereinafter referred to as the "Association."

### WITNESSETH

1. The City and the Association, for and in consideration of the mutual covenants hereinafter set forth and the compensation to be paid to the Association as hereinafter specified, agree to the following:
2. Subject and Scope of Training Program. The Association will conduct a total of fifteen (15) days of training and instruction on the subject of Leadership in Police Organizations (LPO) to a class composed of Norman and surrounding law enforcement departments' personnel. The LPO training will consist of three (3), five (5)-day sessions, with a maximum enrollment of thirty-six (36) students. The course of instruction will be presented on twelve (12) individual days, each day consisting of eight (8) hour instruction blocks, and three (3) individual Fridays, each day consisting of six (6) hour instruction blocks.
3. Dates of Training. The Association will conduct the LPO training course January 25 – 29, February 1 – 5, and February 8 – 12, 2010. A one (1)-day LPO orientation will be held approximately three (3) weeks prior to the first day of the training course, tentatively scheduled for January 5, 2010.

4. Facilities and Equipment. The training will be conducted at a mutually acceptable location determined by the City, at no cost to the Association. The City will provide, at no cost to the Association, the necessary audio-visual and specialized equipment to conduct the proposed training courses.
5. Finalizing Planning. The Association will provide a list of instructors and a finalized class schedule within twenty-one (21) days of the day this Agreement is received by the Association, after execution by the City. In the event a given instructor is not available for any reason, IACP will substitute an alternative instructor of comparable knowledge, experience, credentials, and competence. The unavailability of a particular instructor shall not be grounds to terminate this Agreement.
6. Number of Participants. The Association will provide instruction and training materials for a maximum of thirty-six (36) participants for the LPO course. The City will provide to the Association a list of students and their contact information no later than three (3) weeks prior to the start of the first week of instruction. This list shall be used to prepare certificates for the class.
7. Evaluation of Training. The Association shall administer a student critique at the conclusion of each training week to be filled out by the students and returned to the Association within five (5) days of the end of each training week.
8. Program Cancellation and or Rescheduling. Should it become necessary for the City to cancel this training for any reason, said cancellation must take place no later than twenty-one (21) days prior to the scheduled start date of the contract training. Should cancellation become necessary beyond this date, a ten percent (10%) cancellation fee will be assessed to the City. If, no later than twenty-one (21) days prior to the scheduled start

date, the City requests the Association to reschedule the training, then the Association will make a good faith effort to find alternative dates, but provides no guarantee that rescheduling may be possible. If the class is rescheduled through mutual agreement of the parties, the City agrees to pay all costs associated with the rescheduling to include: airfare, hotel rebooking, cancellation fees, and Association administrative support hours (not to exceed \$2,000.00), associated with the rescheduling of instructors and changes to the travel arrangements.

9. Association as an Independent Contractor. In all matters pertaining to this Agreement, the Association shall be acting as an independent contractor, and neither the Association, nor any officer, employee, nor agent of the Association will be deemed an employee of the City. The selection of the personnel of the Association, or as designated by the Association, in the performance of this Agreement, shall be made by the Association.
10. Non-Discrimination. The Association shall not, in the performance of this Agreement, discriminate against any person because of that person's age, race, color, sex, national origin, disability, or religion. The City agrees to notify the Association of the names of any students who will require accommodations due to a disability. Such notification shall occur no later than fourteen (14) days prior to the start of the training.
11. Time and Manner of Payment. The City will pay to the Association the sum of twenty-eight thousand, two hundred and twenty-nine dollars (\$28,229.00). Said payment shall occur within thirty (30) days of the conclusion of the training course, currently scheduled to conclude on February 12, 2010. This amount includes reimbursement to the Association for instructor's fees, airline travel and transportation, training materials, and class certificates. No costs are included for student lodging, travel, transportation, and

meals, or for instructor's lodging or rental car transportation.

12. Integration. This instrument embodies the whole Agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein. This Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties hereto.
13. Severability. It is understood and agreed to by the parties hereto that if any part, term, or provision of this Agreement is by the courts held to be illegal, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provisions held to be illegal.
14. Modification. There may be no modification of this Agreement, except in writing, signed by both parties, and executed with the same formalities as this Agreement.
15. Time of Acceptance. The terms of this Agreement are subject to acceptance by the City within ten (10) working days of the date of execution by the Association. Failure to execute this Agreement by the City within said ten (10) days will void this Agreement, unless said ten (10)-day period is extended by mutual consent of the City and Association and made a part of this Agreement. Any extension of said ten (10)-day period is effective only if it is in writing, signed by both parties, and executed with the same formalities as this Agreement.
16. Collection Procedures. Should it become necessary for one party to institute collection procedures against the other for non-payment, that party may recover its attorney's fees and costs of collection.



17. Solicitation. For the term of this Agreement and for a period of twelve (12) months after its cancellation, expiration, or termination, the City agrees that it will not attempt to solicit, hire, engage, accept services from, or otherwise employ, whether for pay or otherwise, and whether as an employee, independent contractor or otherwise, the instructors presenting the program that is the subject-matter of this Agreement. If the City breaches this clause, and the Association institutes any action to enforce it, then the twelve (12)-month period shall begin from the date the court, or other authority, issues its order enforcing this clause.
18. Signatures. The signatories on behalf of the Association and the City are that they represent and act on behalf of their respective parties and that each is acting in reliance upon this representation in the execution of this Agreement.

IN WITNESS WHEREOF, the City has caused this Agreement to be executed by the proper officers on this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

By: \_\_\_\_\_  
Cindy S. Rosenthal  
Mayor

ATTEST:

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT  
BY [Signature] DATE 12/1/09

\_\_\_\_\_  
Brenda Hall  
City Clerk

IN WITNESS WHEREOF, the Association has caused this Agreement to be executed by the proper officer on this 16<sup>TH</sup> day of November, 2009.

International Association of Chiefs of Police, Inc.

By: [Signature]  
James W. McMahon  
Deputy Executive Director

PURCHASE REQUISITION NBR: 0000164999

REQUISITION BY: JSCHERTNER      STATUS: ALL ITEMS ON ORDER      DATE: 11/23/09  
REASON: TRAINING PROGRAM  
SHIP TO LOCATION: POL-ADMINISTRATION      SUGGESTED VENDOR: 998 INTERNATIONAL ASSOCIATION OF (      DELIVER BY DATE: 11/24/09

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
-------------	-------------	----------	-----	--------------	----------------	--------------------

1	LEADERSHIP IN POLICE ORGANIZATIONS COURSE COMMODITY: HUMAN SERVICES SUBCOMMOD: TRAINING AND INSTRUCTION	1.00	EA	\$28,229	\$28,229	
---	---	------	----	----------	----------	--

REQUISITION TOTAL: \$28,229

A C C O U N T   I N F O R M A T I O N				AMOUNT
LINE #	ACCOUNT	PROJECT	%	
1	02560354214604 Professional Services Workshops & Seminars		100.00	\$28,229
				\$28,229

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

CONTRACT WITH IACP TO BE APPROVED BY CITY COUNCIL

ON 12/8/09

FOR REIMBURSEMENT TO IACP FOR INSTRUCTOR'S FEES, AIRLINE TRAVEL, TRANSPORTATION, MEALS, OR FOR INSTRUCTOR'S LODGING OR RENTAL CAR TRANSPORTATION

14. ITEM: RESOLUTION NO. R-0910-76: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, IN CONJUNCTION WITH THE NORMAN HUMAN RIGHTS COMMISSION, AWARDING THE 2009 CITY OF NORMAN HUMAN RIGHTS AWARD.

INFORMATION: The above-described resolution has been drawn and is submitted for City Council's consideration. Copies of the resolution, letter of nomination, and pertinent excerpts from Human Rights Commission minutes are included in the Agenda Book.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-0910-76.

ACTION TAKEN: \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY  
OF NORMAN, OKLAHOMA, IN CONJUNCTION  
WITH THE NORMAN HUMAN RIGHTS COMMISSION,  
AWARDING THE 2009 CITY OF NORMAN  
HUMAN RIGHTS AWARD.

- § 1. WHEREAS, the Norman Human Rights Commission seeks to promote and encourage fair treatment and mutual understanding among all citizens and to combat all prejudice, bigotry, and discrimination that prevent individuals from reaching their full potential as human beings; and
- § 2. WHEREAS, the City of Norman entrusts the Norman Human Rights Commission with the duties of studying the problems of discrimination, advising the City on human rights issues, and coordinating citizen involvement in the struggle for human rights; and
- § 3. WHEREAS, the Norman Human Rights Commission annually recognizes a citizen for outstanding contributions to the struggle of human rights.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

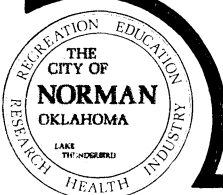
- § 4. That the City of Norman, Oklahoma, in conjunction with the Norman Human Rights Commission, does hereby award the 2009 City of Norman Human Rights Award to Health for Friends.

PASSED AND ADOPTED THIS 8th day of December, 2009.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



October 27, 2009

To the Norman Human Rights Commission:

The Universal Declaration of Human Rights, adopted by the United Nations in 1948, included, at the urging of the United States, the article that "everyone has the right to a standard of living adequate for the health and well-being of oneself and one's family, including food, clothing, housing, and medical care." Since its founding in 1985, one agency here in Norman, Health for Friends, has recognized that right with action by providing quality health care to thousands of our neighbors, relatives, co-workers, fellow parishioners and congregation members, and friends. It is an honor to nominate this agency for the 2009 Norman Human Rights Award.

At any given time Health for Friends has under their care about 2,500 local patients who are not eligible for Medicare or Medicaid, who do not have private insurance, who either work for employers who do not or cannot provide health insurance to their employees – people who have nowhere else to go to receive help for what is most frequently treatable conditions. Health for Friends relies on financial and in-kind support from the community from the United Way, the Norman Regional Hospital System, the donated time and expertise of local physicians, physicians assistants, physical therapists, optometrists, dentists, nurses, and pharmacists, and donations from the people of Norman. This team of qualified health professionals not only saves the Norman medical community, including our hospital system, more than \$6 million dollars each year, but they help individuals return to work, to caring for their families, to meeting their full potential as participating, contributing citizens of Norman.

Even in a community as affluent as Norman, with one of the lower percentages of uninsured and underinsured people in the State, Health for Friends saw between January and June of this year, just under 2,600 patients and another 578 prenatal visits, pregnant moms. Seventeen thousand prescriptions were filled, hundreds more served in the dental clinic. The demand is increasing and at this time, the wait time for an appointment is ten weeks. Ten weeks, waiting to be tested for a suspicious lump or growth, or for a chronic condition such as diabetes or hypertension to be monitored, ten weeks with an abscessed tooth, or waiting to get a mammogram, or sonogram. It is estimated that around 22,000 residents of Norman are uninsured and living at or near poverty, and only ten percent of these people are currently served by Health for Friends, with hundreds, if not thousands more, in need of services.

The national debate over health care reform continues, but for the last 24 years, Health for Friends has recognized and responded to the critical gaps in our health care system that many of us are just now beginning to recognize and understand. Honoring Health for Friends with this year's Human Rights Award says nothing about the kind of reform that should take place and suggests no political position on the various options and strategies that have been and will continue to be proposed, but it does recognize this agency's courageous and ongoing efforts to care for our fellow citizens with the dignity and respect that we would all like to believe is a human right in our country and in our community.

Thank you for your consideration of Norman's Health for Friends for the 2009 Human Rights Award.

Yours sincerely,



Lisa Schmidt  
1330 Salisbury Street  
Norman, OK 73069  
405-292-1828

Contact information for nominee:

Brian Karnes, Executive Director  
405-329-4558

## NORMAN HUMAN RIGHTS COMMISSION MINUTES

November 9, 2009

The Norman Human Rights Commission of the City of Norman, Cleveland County, State of Oklahoma, met in the Conference Room located at 201 W. Gray Street on November 9, 2009, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT: Chair Lisa Schmidt, Commissioners Jose Dela Cruz, Mary Drywater, Kay Ham, Mike Ridgeway, Teresa Turner and Clint Williams

ABSENT: Commissioners Charlotte Gordon and Robert Ruiz

STAFF PRESENT: Carol Coles

\* \* \* \* \*

Item 2, being:

### APPROVAL OF THE AGENDA OF THE NOVEMBER 9, 2009, MEETING.

Commissioner Ham moved to approve the agenda of the November 9, 2009, meeting of the Norman Human Rights Commission, which motion was duly seconded by Commissioner Williams, and the question being approving the agenda of the November 9, 2009, meeting of the Norman Human Rights Commission, a vote was taken with the following result:

YEAS: Commissioners Schmidt, Dela Cruz, Drywater, Ham, Ridgeway, Turner and Williams

NAYES: None

The Chair declared the motion carried; and the agenda of the November 9, 2009, meeting of the Norman Human Rights Commission was approved.

\* \* \* \* \*

Item 3, being:

### APPROVAL OF THE MINUTES OF THE OCTOBER 19, 2009, NORMAN HUMAN RIGHTS COMMISSION MEETING.

Commissioner Turner moved that the minutes of the October 19, 2009, Human Rights Commission meeting be approved, which motion was duly seconded by Commissioner Dela Cruz;

Items submitted for the record

1. Norman Human Rights Commission minutes of October 19, 2009

and the question being upon approving the minutes of the October 19, 2009 meeting, a vote was taken with the following result:

YEAS: Commissioners Schmidt, Dela Cruz, Drywater, Ham, Ridgeway,  
Turner and Williams

NAYES: None

The Chair declared the motion carried; and the minutes of the October 19, 2009, meeting were approved.

\* \* \* \* \*

Item 4, being:

DISCUSSION OF INCLUSIVE COMMUNITY DISCUSSION WITH HISPANIC  
POPULATION.

The Commission shared some thoughts regarding the Inclusive Community Discussion held on October 26<sup>th</sup> at St. Joseph's Parish Center. There was discussion regarding some sort of evaluation, perhaps a pre-test and post test for future discussions. There was also discussion about including some Native American sensitivity in the discussion to be held for the East Side Residents in April.

\* \* \* \* \*

Item 5, being:

DISCUSSION OF NOMINATIONS FOR THE HUMAN RIGHTS AWARD.

Commissioner Ridgeway moved that the 2009 Human Rights Award be given to Food and Shelter for Friends, which motion was duly seconded by Commissioner Ham; and the question being upon awarding the 2009 Human Rights Award to Food and Shelter for Friends, a vote was taken with the following result:

YEAS: Commissioners Schmidt, Dela Cruz, Drywater, Ham, Ridgeway,  
Turner and Williams

NAYES: None

The Chair declared the motion carried; and the 2009 Human Rights Award will be awarded to



Food and Shelter for Friends at the December 8, 2009 City Council meeting.

\* \* \* \* \*

Item 6, being:

ELECTION OF CHAIR AND VICE-CHAIR OF THE NORMAN HUMAN RIGHTS COMMISSION.

Commissioner Williams moved that Commissioner Ridgeway be elected Chair and Commissioner Ham be elected Vice-Chair of the Norman Human Rights Commission, which motion was duly seconded by Commissioner Dela Cruz; and the question being upon electing Commissioner Ridgeway Chair and Commissioner Ham Vice-Chair of the Norman Human Rights Award, a vote was taken with the following result:

YEAS: Commissioners Schmidt, Dela Cruz, Drywater, Ham, Ridgeway,  
Turner and Williams

NAYES: None

The Chair declared the motion carried; and Commissioner Ridgeway was elected Chair and Commissioner Ham was elected Vice-Chair of the Norman Human Rights Commission and these duties will begin in January 2010.

\* \* \* \* \*

Item 7 being:

MISCELLANEOUS DISCUSSION.

The Commission discussed going to the COP Public Forum immediately following this meeting.

\* \* \* \* \*

Item 8 being:

ADJOURNMENT.

Commissioner Williams moved that the November 9, 2009, meeting of the Norman Human Rights Commission be adjourned, which motion was duly seconded by Commissioner Ham; and the question being upon adjourning the November 9, 2009, meeting of the Norman Human Rights

Commission, a vote was taken with the following result:

YEAS: Commissioners Schmidt, Dela Cruz, Drywater, Ham, Ridgeway,  
Turner and Williams

NAYES: None

The Chair declared the motion carried; and the November 9, 2009, meeting of the Norman Human Rights Commission was adjourned at 6:15 p.m.

\* \* \* \* \*

15. ITEM: PROCLAMATION NO. P-0910-11: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING DECEMBER 7 THROUGH 13, 2009, AS HUMAN RIGHTS WEEK IN THE CITY OF NORMAN.

INFORMATION: The Human Rights Commission has requested a proclamation proclaiming December 7 through 13, 2009, as Human Rights Week in the City of Norman. The above-described proclamation has been drawn and is submitted for City Council's consideration. A copy of the proclamation is included in the Agenda Book.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-0910-11 proclaiming December 7 through 13, 2009, as Human Rights Week in the City of Norman and direct the filing thereof.

ACTION TAKEN: \_\_\_\_\_

P-0910-11

A PROCLAMATION OF THE MAYOR OF THE CITY  
OF NORMAN, OKLAHOMA, PROCLAIMING  
DECEMBER 7 THROUGH 13, 2009, AS HUMAN  
RIGHTS WEEK IN THE CITY OF NORMAN.

- § 1. WHEREAS, the Universal Declaration of Human Rights was adopted on December 10, 1948, recognizing the basic human rights of the people of all nations; and
- § 2. WHEREAS, the State of Oklahoma has continually affirmed its faith in the fundamental freedoms and human rights of all Americans; and
- § 3. WHEREAS, the City of Norman established, by a vote of its citizens, the Norman Human Rights Commission in 1971, a group that has served the people of Norman continuously since that time; and
- § 4. WHEREAS, the students, faculty, and administration of the University of Oklahoma have played crucial and courageous roles in the history of civil rights legislation and the advancement of equal educational opportunities for all citizens; and
- § 5. WHEREAS, the City of Norman with one of Oklahoma's more diverse populations strives to ensure that all citizens of this community are provided with an opportunity to reach their full potential as human beings; and
- § 6. WHEREAS, the Norman takes great pride in being home to the Dewey and Kathryn Selmon family, recipients of the State of Oklahoma's 2009 Human Rights Award.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

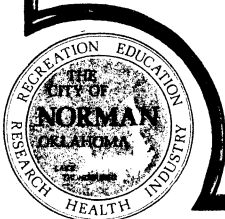
- § 7. Do hereby proclaim December 7 through 13, 2009, as Human Rights Week in the City of Norman, Oklahoma.

PASSED AND APPROVED this 8th day of December, 2009.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



16. ITEM: PUBLIC HEARING REGARDING A GRANT IN THE AMOUNT OF \$150,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE (DOJ) THROUGH THE FY09 COMMUNITY ORIENTED POLICING SERVICES (COPS) LAW ENFORCEMENT TECHNOLOGY PROGRAM TO BE USED BY THE POLICE DEPARTMENT TO UPGRADE THE EMERGENCY COMMUNICATIONS CENTER COMPUTER AID DISPATCH (CAD) SYSTEM AND BUDGET APPROPRIATION.

INFORMATION: The Norman Police Department applied for a grant from the DOJ through the COPS Program. The COPS Program requires the funds be used to upgrade the Emergency Communication Center CAD System. The grant requires a public hearing be held prior to the disbursement of funds and matching funds are not required. Section 8-111 of the City Code states that all donations valued above \$250 to be received by the City of Norman, whether in the form of monies or any other thing of value, shall be required to be accepted by the Council of the City of Norman prior to any use or disbursement of such monies or thing of value by or to any City operation or cause. Copies of an advisory memorandum, letter of acceptance, and memorandum of clearance are included in the Agenda Book.

ACTION NEEDED: 1. Motion to conduct a public hearing.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: 2. Motion to close the public hearing.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: 3. Motion to accept or reject a grant in the amount of \$150,000 from DOJ through the COPS Program to be used by the Police Department; and, if accepted, increase Other Revenue/COPS Grant (022-0000-331.13-14) by \$150,000; appropriate \$125,000 into Telecommunications Equipment/Software (022-6039-421.53-04) and \$25,000 to Telecommunications Equipment/Computer Hardware (022-6039-421.53-01); reappropriate \$199,000 from the Emergency Communications Fund Balance (024-0000-253.20-00) to Telecommunications Equipment/Computer Software (024-6039-421.53-04), \$184,000, and Professional Services/City Business Travel (024-6039-421.46-05) \$15,000.

ACTION TAKEN: \_\_\_\_\_



**DATE:** November 13, 2009

**TO:** Honorable Mayor and City Council

**FROM:** Phil Cotten, Chief of Police *PC*

**SUBJECT:** Agenda Item – Public Hearing on and Acceptance of FY 2009 Community Oriented Policing Services (COPS) Grant number 2009-CK WX 0089 and Re-appropriate Capital and Operations Funds from FYE 09 Budget to FYE 10 Budget

**BACKGROUND:**

Over the past 18 months the City of Norman has conferred with J.R. Reskovac of Capitol Decisions, and Congressman Tom Cole's office to secure \$440,000 to help replace the Norman Emergency Communications Center computer aided dispatch (CAD) system. On June 19, 2009 we received notification of eligibility for \$150,000 of the amount through a Community Oriented Policing Services (COPS) Law Enforcement Technology Program. We immediately began the application process and were notified on September 21, 2009 that the award was approved.

During the FYE 07, the City budgeted \$199,000 to assist in the purchase of a public safety software solution. The \$199,000 was re-appropriated into the FYE 08 and FYE 09 budget years in anticipation of Federal grant funding.

**DISCUSSION:**

The \$150,000 COPS grant requires the funds be used to upgrade the public safety software solution which includes software for the computer aided dispatch (CAD), records management, mobile data terminal, and in-field reporting. It is the intent of staff to request proposals from vendors to present a phased approach to a complete public safety software solution. The \$349,000 represented by this agenda item will be used to fund the first phase of the project which is to replace the current CAD system. The CAD system manages the public safety calls for service and units for the Norman Police, Fire, EMS, and Animal Welfare.

The current CAD system is inadequate and not capable of handling the number of emergency calls for service within the City of Norman. The City of Norman Emergency Communications Center typically requires a minimum of four dispatchers to handle the number of calls for services. The current CAD system was designed for a one or two dispatcher environment. The dispatchers can not visually locate all of the in-progress calls and units that are actively working incidents. This causes first responder safety issues because calls and responders can not be adequately checked on and quickly responded to during emergency situations. Frequently, the CAD system becomes overloaded to the point that it locks up or runs extremely slow. When this occurs, the City of Norman Information Systems Department is called to restore the CAD system, which is accomplished using remote connectivity in most situations within five minutes. These issues can hinder the management and documentation of the incident. These issues have been prevalent since the system was installed in 2001 and

Office memorandum

the software vendor has not been able to overcome the problems. With preliminary estimates this funding, along with money budgeted and transferred from 2007, will be sufficient to upgrade the CAD software and hardware. The specific type of hardware upgrade is dependant on the software vendor. Replacement of the entire system, to include the records management system (RMS) and mobile clients, will be accomplished in phases as funding becomes available.

The COPS grant is 75 percent funded by the Federal government with a 25 percent minimum match from the City. The match amount was originally funded during the FYE 07 budget year and was re-appropriated to FYE 08 then again in FYE 09. In each year since FYE 07, the appropriated funds to match the COPS grant were returned to fund balance. The funds are requested to be re-appropriated to the FYE 10 budget year to serve as a match for the COPS grant.

**RECOMMENDATIONS:**

1. It is recommended the Council conduct the required public hearing during its regular Council meeting. It is further recommended that Council accept the grant in the amount of \$150,000 and deposit the funds into account 022-0000-331-1314 Other Revenue/COPS Grant. Funds are requested to be appropriated into and expended from the following accounts:

Telecommunication Equipment/Computer Software account 022-6039-421.53-04, \$125,000

Telecommunication Equipment/Computer Hardware account 022-6039-421.53-01, \$25,000

2. It is recommended that the Council appropriate funds, that were originally funded in FYE 07 and re-appropriated in FYE 08 and FYE 09, from the General Fund balance account 010-0000-253.20-00 and appropriated into and expended from the following accounts.

Telecommunications Equipment/Computer Software account 024-6039-421.53-04, \$184,000

City Business and Travel account 024-6039-421.46-05, \$15,000

PC/jws  
Attachments

Reviewed by: Gary Lowe, Information Systems Manager *GL*

Reviewed by: Clint Mercer, Chief Accountant *CM*

Reviewed by: Anthony Francisco, Finance Director *A. Francisco*

Reviewed by: Jeff Bryant, City Attorney *JB*

Reviewed by: Steve Lewis, City Manager *SL*



U.S. Department of Justice

Office of Community Oriented Policing Services (COPS)

Office of the Director  
1100 Vermont Ave., NW  
Washington, DC 20530

September 21, 2009

Chief Phil Cotten  
Norman City of  
201 B West Gray Street  
Norman, OK 73069

Re: Technology Program Grant #2009CKWX0089  
ORI#: OK01402

**RECEIVED**

**SEP 24 2009**

**Office of the Chief  
Norman Police Dept.**

Dear Chief Cotten:

Congratulations! On behalf of Attorney General Eric Holder, I am pleased to inform you that the COPS Office has approved your agency's request for funding in the amount of \$150,000 under the COPS Technology Program. Enclosed in this packet is your grant award. **The award document must be signed and returned to the COPS Office within 90 days from the date of this letter to officially accept your grant.** On the reverse side of the grant award is a list of conditions that apply to your grant. You should read and familiarize yourself with these conditions. In addition, your Grant Owner's Manual and other important information to assist you with the implementation of your award are available online at <http://www.cops.usdoj.gov/Default.asp?Item=2200>.

The official start date of your grant is March 11, 2009. Therefore, you can be reimbursed for approved expenditures made on or after this date. Please carefully review the Financial Clearance Memorandum included in your award package to determine your approved budget, as some of your requested items may not have been approved by the COPS Office during the budget review process, and grant funds may only be used for approved items. Also, please be aware that any vendor or contractor who participated in drafting your grant application may not receive federal funding for any procurement under this award.

Within a few weeks, you will receive a financial documentation package from the Office of the Chief Financial Officer, Office of Justice Programs. This important package will contain the forms and instructions necessary to begin drawing down funds for your grant.

Once again, congratulations on your Technology Program award. If you have any questions about your grant, please do not hesitate to call your Grant Program Specialist through the COPS Office Response Center at 1.800.421.6770.

Sincerely,

David M. Buchanan  
Acting Director





U. S. Department of Justice  
Community Oriented Policing Services

Grants Administration Division  
Law Enforcement Technology

1100 Vermont Avenue, NW  
Washington, DC 20530

Memorandum

To: Chief Phil Cotten  
Norman City of

From: Andrew A. Dorr, Assistant Director for Grants Administration  
Clara Pesiri, Grant Program Specialist  
Budget Prepared By: Clara Pesiri, Grant Program Specialist

Re: Law Enforcement Technology Financial Clearance Memo

A financial analysis of budgeted costs has been completed. Costs under this award appear reasonable, allowable, and consistent with existing guidelines. Exceptions / Adjustments are noted below.

OJP Vendor #: 736005350

ORI #: OK01402

DUNS #: 009072427

Grant #: 2009CKWX0089

<u>Budget Category</u>	<u>Proposed Budget</u>	<u>Approved Budget</u>	<u>Adjustments</u>	<u>Disallowed/Adjusted - Reasons/Comments</u>
Equipment	\$25,000.00	\$25,000.00	\$0.00	
Other	\$125,000.00	\$125,000.00	\$0.00	
Direct Costs:	\$150,000.00	\$150,000.00	\$0.00	
Grand Total	\$150,000.00	\$150,000.00	\$0.00	
Grand Total:	Federal Share: \$ 150,000.00 Applicant Share: \$ 0.00			

Cleared Date: 8/7/2009

Overall Comments:

All costs listed in this budget were programmatically approved based on the final Budget Detail Worksheets submitted by your agency to the COPS Office. Maintenance agreements (if applicable) must be purchased and paid in full within the three-year grant period. Prior to the obligation, expenditure or drawdown of grant funds for non-competitive contracts in excess of \$100,000, grantee must submit a sole source justification to the COPS Office for review and approval. Prior to the obligation, expenditure, or drawdown of grant funds for consultant fees in excess of \$550 per day when the consultant is hired through a noncompetitive bidding process, approval must be obtained from the COPS Office. If the vendor number on this form differs from the EIN number included in your application, then for administrative purposes only, we are assigning a different vendor number to your agency. The reason for this administrative change is that your original EIN number has been assigned to another agency. If this applies to your agency, please use the new vendor number on all financial documents related to this grant award. The vendor number should not be used for IRS purposes and only applies to this grant.

17. ITEM: ORDINANCE NO. O-0910-11: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ORDINANCE NO. O-0001-13, THE NRH MEDICAL PARK WEST PLANNED UNIT DEVELOPMENT, TO AMEND PUD NARRATIVE AND DESIGN GUIDELINES FOR A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION FOURTEEN, TOWNSHIP NINE NORTH, RANGE THREE WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTH OF TECUMSEH ROAD BETWEEN 36TH AVENUE N.W. AND I-35 SERVICE ROAD)

INFORMATION: Planning Commission, in its meeting of November 12, 2009, held a public hearing and received no filed protest regarding the following item:

NRH MEDICAL PARK WEST, L.L.C: Requests amendment to the Planned Unit Development approved by Ordinance No. O-0001-13 by amending the PUD Narrative and Design Guidelines for property generally located south of Tecumseh Road between 36th Avenue N.W. and I-35 Service Road containing 94 acres, more or less.

Planning Commission, by a vote of 9-0, recommends approval of the requested amendment; and City Council, in its meeting of November 24, 2009, Introduced and adopted Ordinance No. O-0910-11 upon First Reading by title. Copies of an advisory memorandum; ordinance; site plan; location map; development plan; design guidelines with list of changes to original document; Staff Report recommending approval; and pertinent excerpts from Planning Commission minutes are included in the Agenda Book.

ACTION NEEDED: 1. Motion to adopt or reject Ordinance No. O-0910-11 upon Second Reading section by section.

ACTION TAKEN: \_\_\_\_\_


ACTION NEEDED: 2. Motion to adopt or reject Ordinance No. O-0910-11 upon Final Reading as a whole.

ACTION TAKEN: \_\_\_\_\_



**DATE:** November 13, 2009

**TO:** Honorable Mayor and Councilmembers

**FROM:** Doug Koscinski, AICP   
Manager, Current Planning Division

**SUBJECT:** Agenda Item:  
Ordinance No. O-0910-11 – Norman Medical Park West, L.L.C., requests amendment of a PUD, Planned Unit Development (O-0809-45) to amend the PUD Narrative and Design Guidelines

**BACKGROUND.** In 2000, this PUD was amended to include hospital use after the purchase of a portion of the site. Another amendment occurred in 2006 when the hospital acquired the entire parcel, and industrial uses were eliminated to allow for expanded hospital and office use. The new hospital (now open) commenced construction at that time, and the surrounding uses were expected to be commercial or hospital-related. The hospital hired a consultant firm, Lockard Companies, to create a Master Plan for development of the whole site, with specific Design Guidelines that were adopted earlier this year. Unfortunately, several items were inadvertently included in the Design Guidelines that have impacted the development of some of the initial proposals. This amendment eliminates or clarifies those items.

**DISCUSSION.** The annotated Design Guidelines and PUD Narrative indicate numerous minor amendments, but there are several items that are of note.

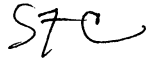
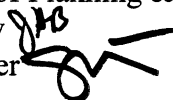
- The hospital is intended to be the tallest structure in the development, with all other structures lower to protect views of that building. While hotels buildings can be as tall as seven stories, most commercial structures were limited to one story and 22 feet in height. This amendment allows mezzanines to be constructed, and raises the allowable height to 30 feet.
- A landscaping and screening requirement was included that applied to all sides of each lot, including the frontage adjacent to any street. The landscaping requirement remains, but this amendment deletes any requirement to install fencing across the front of a commercial lot. Screening between lots is not required by city ordinance.
- There are some references to a six foot landscape buffer across the front of some lots, while Norman's minimum requirement is ten feet. A reduction to six feet can be authorized by Council if justified on a Final Site Development Plan.
- Staff suggested that the relationship between the Charter and the Design Guidelines be clarified in both the PUD narrative and the Design Guidelines. The Charter is a document with legally binding private covenants that the developer has proposed that speaks to the overall governance of the subdivision, and will regulate more than simple design elements. They are not enforced by the City.

The City will enforce the Design Guidelines because they have been adopted as part of the PUD ordinance, along with the PUD narrative and the overall Master Development Plan (site plan).

- The Planning Director is authorized to administratively approve minor amendments as long as they are not “materially inconsistent” with the overall development plan, or modify any requirement or standard in the Design Guidelines by more than fifteen percent. Amendments deemed materially inconsistent by the Director may be appealed to the City Council.

**STAFF RECOMMENDATION:** The attached documents include the amended PUD Narrative and the amended Design Guidelines. The Site Plan previously approved remains the same. The item comes with a unanimous recommendation for approval from the Planning Commission. Staff supports this amendment to this Planned Unit Development, and recommends approval of Ordinance O-0910-11, including the revised Design Guidelines and revised PUD Narrative.

DK/rnt

Reviewed by: Susan Connors, Director of Planning & Community Development   
Jeff Bryant, City Attorney   
Steve Lewis, City Manager 

Attachments: Ordinance No. O-0910-11  
Location Map  
Staff Report  
Planning Commission Minutes  
Revised PUD Narrative  
Revised Design Guidelines

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ORDINANCE NO. O-0001-13, THE NRH MEDICAL PARK WEST PLANNED UNIT DEVELOPMENT, TO AMEND PUD NARRATIVE AND DESIGN GUIDELINES FOR A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION FOURTEEN, TOWNSHIP NINE NORTH, RANGE THREE WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTH OF TECUMSEH ROAD BETWEEN 36<sup>TH</sup> AVENUE N.W. AND I-35 SERVICE ROAD)

- § 1. WHEREAS, NRH Medical Park West, L.L.C., the owner of the hereinafter described property, has made application to amend the Planned Unit Development approved by Ordinance No. O-0001-13 so as to amend the PUD Narrative and Design Guidelines; and
- § 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such amendment; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to amend the Planned Unit Development approved by Ordinance No. O-0001-13 so as to amend the PUD Narrative and Design Guidelines, to wit:

Begin at NW corner of NW1/4 of §14-T9N-R3W, then (approximately) East 2,045'; Southeasterly 2,481'; West 1,187'; North 1,050'; West 1,043'; North 150'; West 150'; North 1,356' to POB; containing 94 acres, more or less.

- § 5. Further, pursuant to the provisions of Section 22:434.1 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:
- a. The site shall be developed in accordance with the Site Development Plan, previously approved May 14, 2009 in O-0809-45, and the revised PUD Narrative (dated 11/12/09) and revised Design Guidelines (Exhibit A) submitted by the applicant and approved by the Planning Commission.

- § 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
(Mayor)

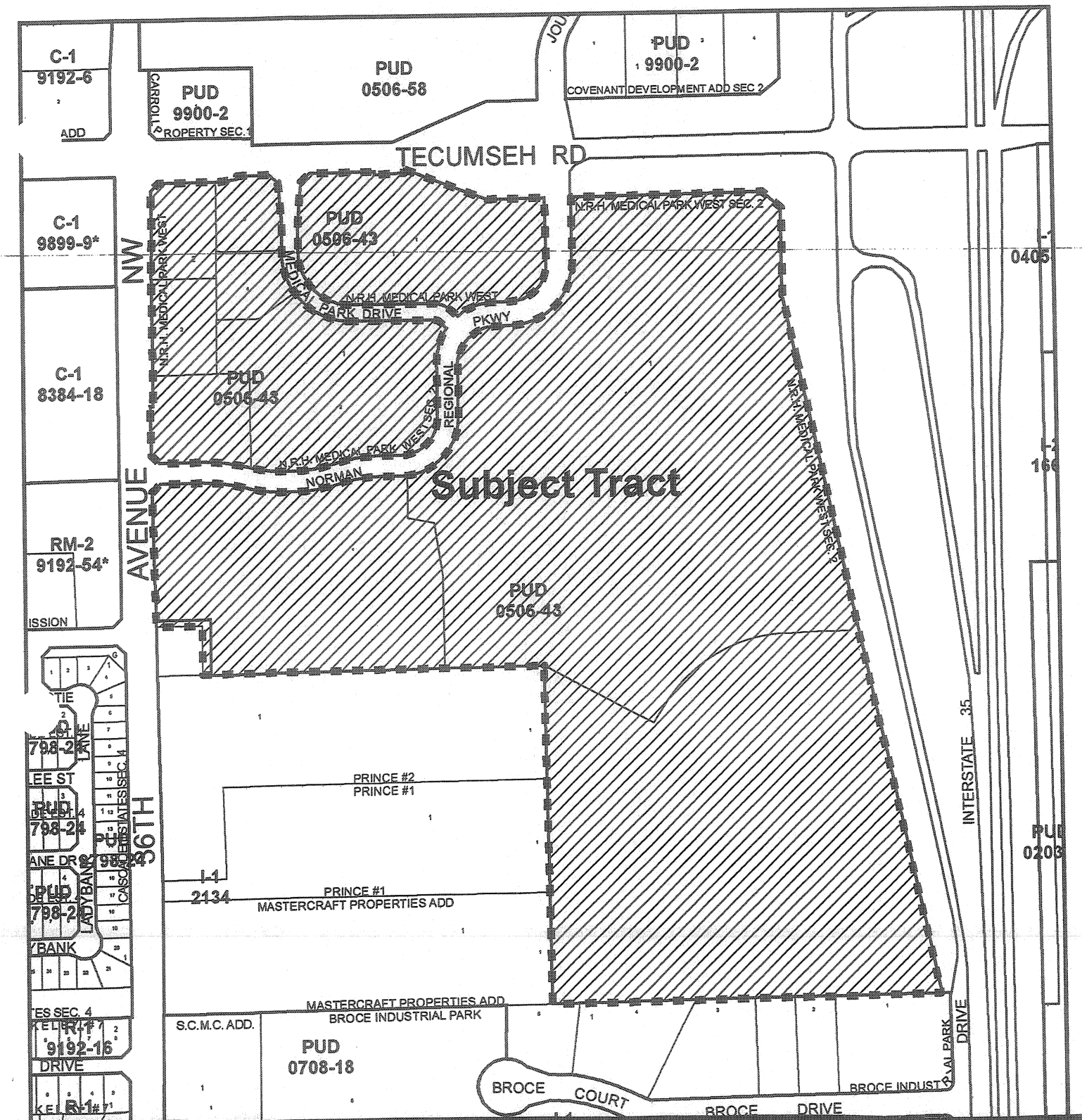
ATTEST:

\_\_\_\_\_  
(City Clerk)

NOT ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2009.

\_\_\_\_\_  
(Mayor)





## PROPOSED PUD AMENDMENT -- NORMAN MEDICAL PARK WEST

APPLICANT: Norman Medical Park West, L.L.C.  
 REQUEST: Amendment of a PUD, Planned Unit Development (O-0809-45) to amend the PUD Narrative and Design Guidelines.



## NRH MEDICAL PARK WEST PUD Development Plan October, 2009 Revision

NRH MEDICAL PARK WEST, LLC ("**LLC**") and NORMAN REGIONAL HOSPITAL ("**NRH**"), hereinafter collectively referred to as "**APPLICANT**", respectfully submit this amended Development Plan ("**Plan**") for approximately 94 acres as a Planned Unit Development ("**PUD**") located on the South side of Tecumseh Road, between I-35 Service Road and 36th Avenue NW, and more particularly described on the accompanying Preliminary Plat and Site Plan (the "**PROPERTY**").

**BACKGROUND:** The Property was originally zoned as a PUD several years ago, and a Preliminary Plat was approved under the name of NIDC ADDITION. Subsequently, NRH acquired approximately 25 acres of the Property and filed a Final Plat thereof designated as **NRH MEDICAL PARK WEST**. Subsequent to that, NRH acquired the remainder of the Property. No part of the Property is within the 100 Year Flood Plain, according to FEMA maps adopted by the City of Norman. Applicant intends to develop and operate the Property for Hospital/Medical/Office/Commercial purposes. A possibility exists for a Senior Residential/Assisted Living/Nursing Home facility, but no multi-family residential uses are planned at this time and will only be considered with a PUD amendment. To further its plan, NRH expects to vacate and replat part of the existing Final Plat of NRH MEDICAL PARK WEST ADDITION as shown on the preliminary plat attached as an exhibit. The PUD will meet the goals specified by the Norman 2025 Plan.

**DEVELOPMENT AND CONTROL:** The Property will be developed as a planned community ("**PARK WEST**"), more particularly described on the attached Park West Campus Master Plan ("**MASTER PLAN**") which ~~were~~ was prepared by the Applicant. Subject to applicable Federal, State and local laws and regulations, the Property will be subject to the attached Community Charter for Park West, as it may be amended and supplemented in accordance with its terms ("**CHARTER**"), which was prepared by the Applicant. The Property will be subject to architectural controls as described in the Charter and in the Medical Park West Design Guidelines, as they may be amended and supplemented ~~in accordance with the Charter~~ ("**DESIGN GUIDELINES**"). ~~A copy of the initial Design Guidelines prepared by the Applicant is attached for reference.~~ No amendment to the Charter or the Design Guidelines shall be inconsistent with the provisions in the body of this Plan or City of Norman ordinances unless approved by the City of Norman; however, amendments and supplements may contain additional requirements and provisions that are more restrictive than those set forth in this Plan or City of Norman ordinances.

The City of Norman shall regulate the Property in accordance with the Master Plan, the Design Guidelines and other City of Norman ordinances that apply. The Charter is a private document that is administered by the property owner. All development of the Property must meet all minimum requirements of the Plan, Design Guidelines and City of Norman ordinances that apply.

**EXHIBITS:** The following Exhibits, prepared and submitted by the engineering firm of SMC Consulting Engineers, are made a part of this Application:

Preliminary Plat

Preliminary Site Development Plan

Preliminary Landscaping Plan

Drainage Impact Analysis

**USE AND PLATS:** Hospital and those uses permitted in Norman Zoning Districts O-1 and C-2 are the various uses to be permitted by the City of Norman as a matter of right within the Property, however, actual use of any particular lot or area is subject to the further restrictions and limitations set forth in this paragraph, the Charter and the Design Guidelines. Only one (1) service station and no more than three (3) drive-through restaurants shall be permitted on the Property, and **NO** bus terminal, drive-in movie theater, golf course, pawn shop, trailer camp and/or wholesale distribution center shall be allowed on the Property. The term "Service Station" is intended to embrace and include "convenience store and/or car wash", which are commonly associated with an automobile service station.

**ACCESS:** Access from Tecumseh Road and 36th Avenue NW and the I-35 Service Road is limited because of highway right-of-way constraints. Roadway details are shown on the Preliminary Plat. Because no alleyways have been proposed on the Preliminary Plat, all lots smaller than three (3) acres in size, or which share access to public streets, will be required to provide internal connections with cross-access

easements to adjacent lots to facilitate deliveries, traffic flow and sanitation service.

**OPEN SPACE/LANDSCAPING:** The overall Open Space for the entire Property will exceed the ten per cent (10%) minimum required for PUDs. A portion of the gross area of each lot in the PUD is designated on the Landscaping Plan as open space, not to be used for streets or parking. The project will comply with all Norman ordinances and regulations relating to drainage detention. Landscape locations are indicated on the "Landscape Plan" Exhibit. In a few locations adjacent to public right-of-way, it may be necessary to reduce a lot's landscaping strip from ten (10) feet down to six (6) feet. Some individual lots may contain less than ten per cent (10%) Open Space. Each such lot will be identified on the ~~proposed~~ Final Plat depicting such lot, with an explanation as to why it is a hardship on any such lot to provide a ten-foot landscape strip and/or ten percent (10%) Open Space. Lot owners will be required to install interior sidewalks and trails on their lots as appropriate to encourage pedestrian travel between buildings. Plans for on-site landscaping shall be submitted with the application for a Building Permit. Definitions of terms used herein are:

**"perimeter streets"** - Tecumseh, 36th Avenue NW and I-35 Service Road; and

**"interior streets"** - all public streets within the Property.

Actual construction of public streets and installation of landscaping within the landscape strip adjacent to public streets shown on any Final Plat can be deferred to the time a building permit is issued

for a lot adjacent to that section of the public street as shown on the approved Final Plat. The maintenance of landscaping on each lot will be the responsibility of the owner of the lot, except to the extent that such responsibility is assumed by the owner of any condominium or other owners association established for the lot. The City of Norman may enforce compliance by the owner of any such individual lot.

**PARKING AND OFF-STREET LOADING:** All uses within the PUD, with the exception of Hospital uses, shall comply with the off-street parking and loading requirements provided by applicable Norman ordinances. At inception, hospital parking spaces may be fewer than dictated by current City ordinances. If usage dictates the need for more parking, a parking structure is the probable solution.

**PERIMETER REQUIREMENTS:** The setbacks and coverages on each individual lot shall be governed by the Site Development Plan and the Design Guidelines. All structures, other than signs, must comply with a twenty-five foot (25') front building setback line on Tecumseh, ~~and~~ on the I-35 Frontage Road and on 36th Ave. NW.

**PROPERTY OWNERS ASSOCIATION:** There will be a mandatory membership property owners association to operate and maintain the common drainage areas, common landscaping areas and the streetscaping areas, as set forth in the Landscaping Plan. Except as otherwise provided above, all landscaping installation and maintenance on an individual lot is the responsibility of the lot owner.

**BUILDINGS:** The Design Guidelines govern building design, building size, building materials and impervious coverage.

Notwithstanding any language in the Design Guidelines, any masonry wall, on any building anywhere in the PUD, must comply with requirements of applicable Norman ordinances. To the extent that applicable City of Norman ordinances impose a stricter standard than the standards set forth in the Design Guidelines, the City of Norman ordinance shall control unless otherwise specifically provided in this Plan or unless the City of Norman grants a variance. To the extent that standards required by City of Norman are less restrictive than the standards imposed by the Charter or the Design Guidelines, the Charter and Design Guidelines (in that order) shall control.

To the extent that City of Norman ordinances permit any outside storage, items stored outside any enclosed building must be screened by an eight foot (8') high opaque fence. Such storage must be behind any applicable building setback lines. Automobiles, trucks, recreational vehicles and boats, which are part of inventories being offered for sale at retail, are expressly excluded from the screening requirement in this paragraph, but shall be subject to any additional screening requirements imposed pursuant to the architectural control provisions of the Charter and the Design Guidelines.

**SIGNS:** Each and every sign must comply fully with the Norman Sign Ordinance and the Design Guidelines, except that:

- (i) signs designated as "Entry Signage" may be a maximum of fifty (50) square feet; and
- (ii) ground signs may be located within fifteen (15) feet of the front lot line.

**TRAFFIC LIGHTS SIGNAL:** At a future date, there will likely be a need for a traffic signal at ~~Norman Regional~~ Healthplex Parkway and

Tecumseh. The Applicant has requested the City of Norman to ask the Oklahoma Department of Transportation ("ODOT") to place this traffic signal on the State system, and to fund its construction. In such event(s) and pursuant to previous contractual commitments, this Applicant and the Developer of land on the opposite side of Tecumseh will each contribute ten percent (10%) of the cost of construction of such traffic signal, within sixty (60) days after the City of Norman delivers written certification to the Applicant that any such traffic signal is ready to be put out for bid

In the event that the City has not received approval of State, Federal or other outside funding for said traffic signal, at the time any Building Permit is requested, then as to such "Unfunded" signal, a part of the platting fee payable to the City of Norman will be that particular lot's (or lots') **prorated** share of the cost of such traffic signal(s), based on the trip generation formula set forth in the Traffic Impact Analysis.

**COVENANTS:** Restrictive covenants, consistent with this Narrative and its Exhibits, are contained in the Charter, which has been filed in the office of the County Clerk of Cleveland County, Oklahoma. The Charter may be amended and supplemented in accordance with its terms. No amendment to the Charter or the Design Guidelines shall be inconsistent with the provisions in the body of this Plan or City of Norman ordinances unless approved by the City of Norman; however, amendments and supplements may contain additional requirements and provisions that are more restrictive than those set forth in this Plan or City of Norman ordinances.

**WATER RIGHTS:** Applicant, its successors and assigns, reserve the right to apply to the City of Norman for any permit(s) needed to drill any water well(s) for irrigation which are appropriate for the Property.

**INTERIOR PUBLIC STREETS:** It is recognized that good planning requires a limit on the length of a public street that can be built from the perimeter (i.e., Tecumseh, I-35 Service Road and/or 36th Avenue NW) into the PUD, without having to access a perimeter street at a second point. That limit is herewith defined as Six Hundred (600) feet.

Respectfully submitted,

H. L. Heiple  
Attorney/Agent for Applicant  
218 East Eufaula Street  
P. O. Box 847, Norman, OK 73070  
Telephone 405-321-0090  
Facsimile 405-321-9763  
heiplelaw@sbcglobal.net



# Medical Park West

Design Guidelines      Revised November, 2009

Norman, Oklahoma

Prepared for  
**NRH Medical Park West, LLC**

Prepared by  
**Lockard Norman Developers, LLC**

## PARTICIPANTS

### Norman Regional Medical Center Board

901 North Porter  
Norman, OK 73071  
405.307.1050

David D. Whitaker, President, CEO  
Brian Johnson, Director, Facilities  
Management, Construction  
Greg Terrell, Senior Vice President, COO  
Ken Hopkins, CFO

### City of Norman Oklahoma

201 West Gray, Building A  
Norman, OK 73069  
405.366.5437  
Susan Connors, Manager,  
Current Planning Division

### Consultant Team

Lockard Companies, Inc.  
4501 Prairie Parkway  
Cedar Falls, IA 50613  
319.277.8000

Robert L. Smith, Jr, CCIM, SIOR, President

Lockard Norman Developers, LLC  
David Wilson, CCIM, Executive Vice  
President

Lockard Construction, Inc.  
James M. Fettkether, Executive Vice President

Lockard Properties, Inc.  
John T. Flint, Vice President, Asset  
Management

Ruden Designs  
Mike Ruden, AIA, LEED AP

SMC Consulting Engineers, P.C.  
815 West Main  
Oklahoma City, OK 73106  
405.232.7715  
Tom L. McCaleb, P.E.

Lowndes, Drosdick, Doster,  
Kantor & Reed, P.A.  
450 South Orange Avenue, Suite 800  
PO Box 2809  
Orlando, FL 32801  
407.418.6358  
Timothy R. Miedona

Equity Commercial Realty, LLC  
P.O. Box 1763  
Norman, OK 73070  
405.364.5300  
Judy J. Hatfield, Principal

### Medical Park West Development Advisory Panel

James M. Fettkether, Lockard  
Construction, Chairman  
Mike Ruden, Ruden Designs  
Brian Johnson, Norman  
Regional Medical Center  
Greg Terrell, Norman Regional  
Medical Center  
Charles Lackey, MD. Norman  
Regional Medical Center

<b>I. Introduction</b>	
• Purpose .....	1
• Design Review Process .....	1
• Scope of Review .....	1
• Applicability and Amendment .....	1
<b>II. Project Information</b>	
• Aerial Views .....	2
• Project Area Map .....	3
<b>III. Street Plans and Sections</b>	
• Parkway and Secondary Street Plans .....	4
• Parkway and Secondary Street Sections .....	5
<b>IV. Built Form Design Standards</b>	
• Building Context and Style .....	6
• Building Setback .....	6
• Building Height .....	6
• Roof Lines .....	7
• Mechanical Equipment Screening .....	7
• Building Entries .....	7
• Building Materials .....	8
• Architectural Detailing .....	8
• Franchise Architecture .....	9
• Accessory Buildings .....	9
• Trash Enclosures .....	9
• Parking Structures .....	10
<b>V. Site Elements</b>	
• Sidewalks and Walkways .....	11
• Sidewalk Landscaping .....	11
• Accessibility and Curb Ramps .....	11
• Surface Parking Lots .....	11
• Parking Lot Lighting .....	12
• Parking Lot Landscaping .....	12
<b>VI. Signage</b>	
• Sign Location .....	13
• Sign Materials .....	13
• Sign Illumination .....	13
• Building Address .....	13
• Projecting Signs .....	13
• Directional Signs .....	13
<b>VII. Accessory Items</b>	
• Outdoor Storage .....	14
• Outdoor Audio .....	14
• Vending Machines .....	14
• Holiday/Event Decorations .....	14
<b>VIII. Appendix</b>	
• Recommended Plant List .....	15
• Examples of Acceptable Materials and Colors .....	19
• Examples of Acceptable Building Ornament & Details .....	19
• Examples of Acceptable and Unacceptable Signage .....	20
• Examples of Acceptable Entries and Windows .....	20
• Examples of Acceptable and Unacceptable Parking .....	21
• Examples of Acceptable site Screening .....	22

## Purpose

The Medical Park West Design Guidelines have been established to encourage the highest quality of building design and landscaping within Medical Park West, while allowing for imaginative and individual designs in a cohesive development centered around the existing Norman Regional Medical Center and HealthPlex. The intent is for the design of new and existing facilities to work together to create an attractive, pedestrian-oriented development for owners, tenants, employees, and patrons.

## Design Review Process

All proposed site work, buildings, structures, landscaping and other improvements on lots in Medical Park West are subject to design review and approval in accordance with the process set forth in Article 5 of the Community Charter for Medical Park West recorded by NRH Medical Park West, LLC in the office of the County Clerk of Cleveland County, Oklahoma (the "Charter").

In addition, all structures are subject to City of Norman building department review and approval and must comply with City of Norman building codes, unless the City grants a variance or exception. No approval, variance, exception, or special permit granted by the City shall be effective to override disapproval by the reviewer under the Charter. Owners or their architects are responsible for applying for and obtaining approval from the City of Norman after obtaining approval from the reviewer under the Charter. A copy of the approval letter issued pursuant to the Charter shall be submitted with the application to the City of Norman.

**All applications for design approval must be approved by both the designated reviewer under the Charter and the City of Norman prior to commencement of the proposed work. Disapproval by either shall constitute denial of approval to proceed**

## Scope of Review

These Design Guidelines, as they may be amended and supplemented ("Guidelines"), are intended to provide guidance to owners and their architects regarding matters of particular concern to the reviewer in considering applications for approval of new construction, additions, modifications, and landscaping on lots in Medical Park West, in order to facilitate the application and review process. In reviewing each submission, the reviewer may consider any factors it deems relevant, including, without limitation, site grading and layout, architectural style, massing, proportion, materials, impervious surface, landscaping, exterior lighting, and signage, as well as harmony of external design with surrounding structures and environment. Decisions may be based on purely aesthetic considerations. Compliance with these Guidelines, while required, does not constitute the sole basis for review of applications for approval and does not guarantee approval of any application.

To the extent that any state or local government ordinance, building code or regulation imposes a more restrictive standard than the standards set forth in the Charter or these Guidelines, the local government standard shall control. To the extent that any local government standard is less restrictive, the Charter and these Guidelines (in that order) shall control.

## Applicability and Amendment

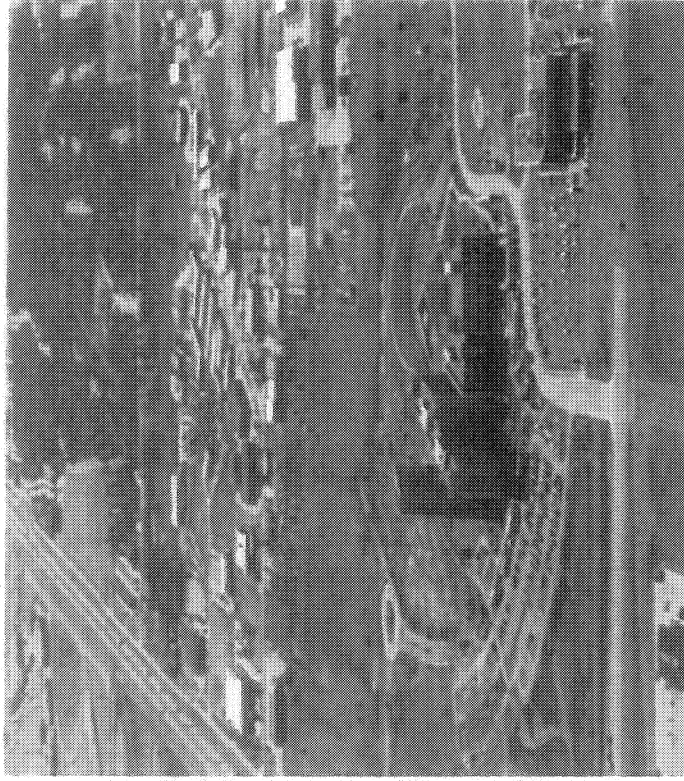
These Guidelines apply to all new improvements and all modifications to existing improvements on property in Medical Park West which are undertaken after the effective date of these Guidelines, except that the Norman Regional Hospital and Healthplex are considered "icon projects" and these Guidelines shall not apply to such facilities as they exist on the effective date of these Guidelines or any replacements of any portion thereof in the same location which are of comparable size, design, and materials, including signage.

These Guidelines may be amended and supplemented from time to time, except that no amendment shall reduce or eliminate any design standards set forth in these Guidelines, the NRH Medical Park West PUD Development Plan narrative as approved by the City of Norman, or City of Norman ordinances unless such amendment is first approved by the City of Norman.

Where City of Norman approval is required hereunder, such approval may be granted by the City's Planning Director so long as the amendment is not materially inconsistent with the requirements and standards established by the City of Norman ordinances or the NRH Medical Park West PUD Development Plan narrative as approved by the City of Norman; otherwise, such amendment shall require the approval of the City Council. For purposes of this paragraph, an amendment shall be considered "materially inconsistent" and require City Council approval if it eliminates or reduces a requirement or the NRH Medical Park West PUD Development Plan narrative as approved by the City of Norman, or if it modifies any such requirement or standard which is measurable (e.g., building heights, setbacks, etc.) by 15% or more. The City shall have no responsibility to enforce any design standards unless and until approved by the City in accordance with this paragraph.

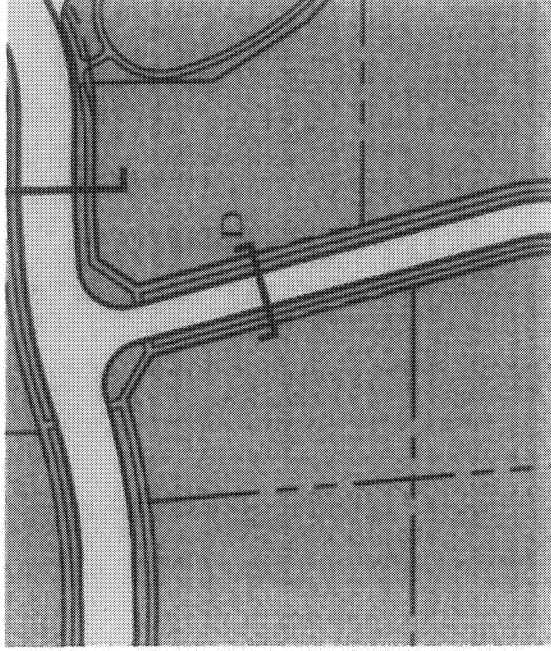
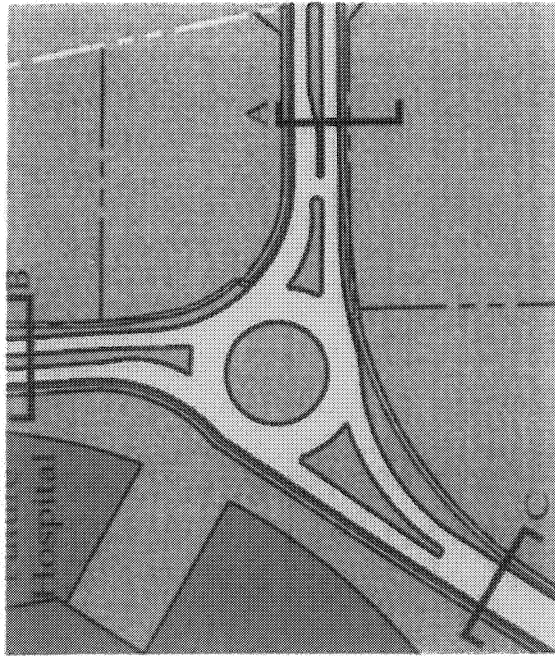
With respect to proposed additions or modifications to facilities existing prior to the effective date of a particular design standard set forth in these Guidelines, the reviewer may require compliance with the design standard in proportion to the degree of change proposed (i.e., the greater the degree of change, the greater the degree of compliance that will be expected), in order to permit minor improvements to existing structures and improved lots without costly upgrades or a complete makeover of the site.

These design standards shall be effective as of March 1, 2009.

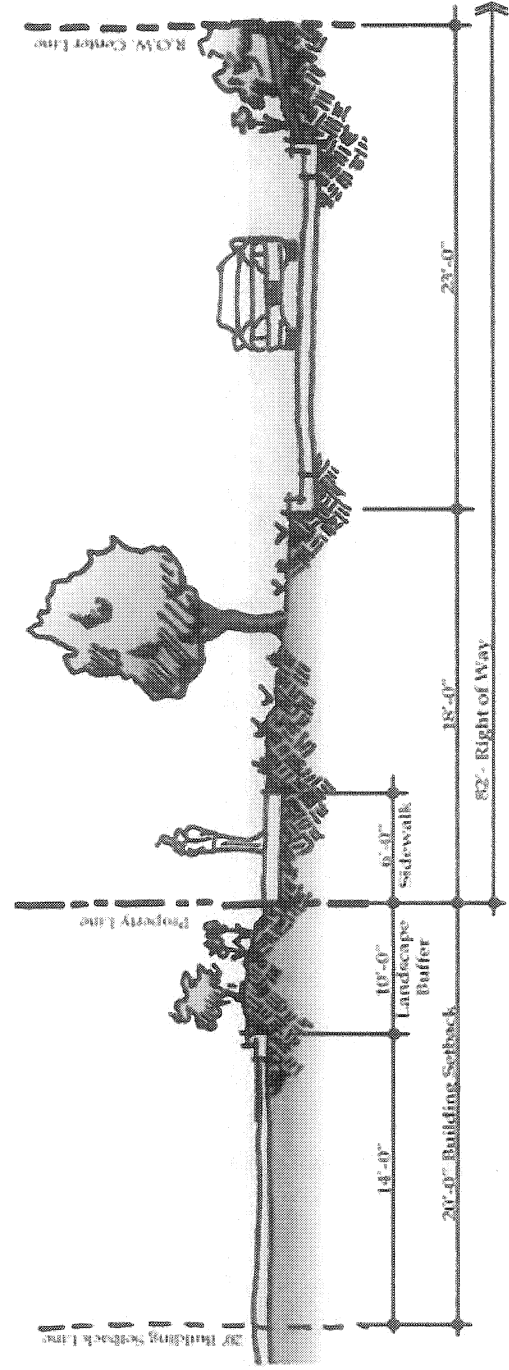




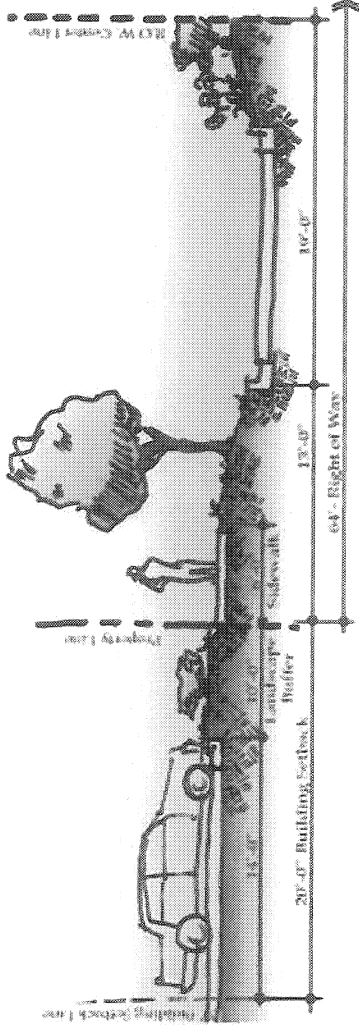




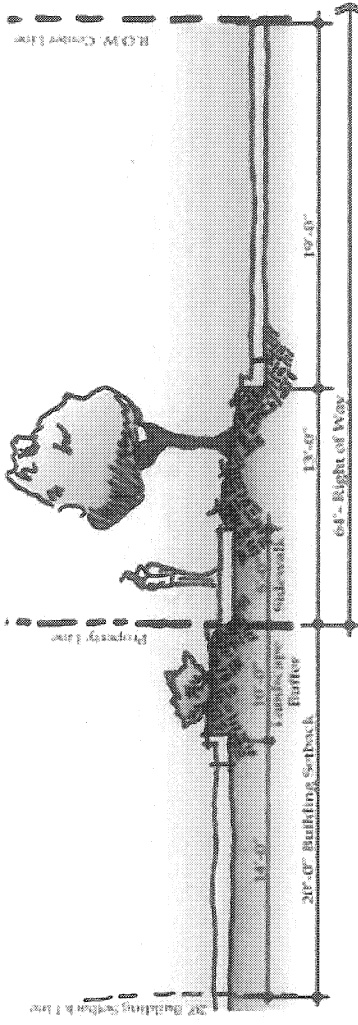
## Section A



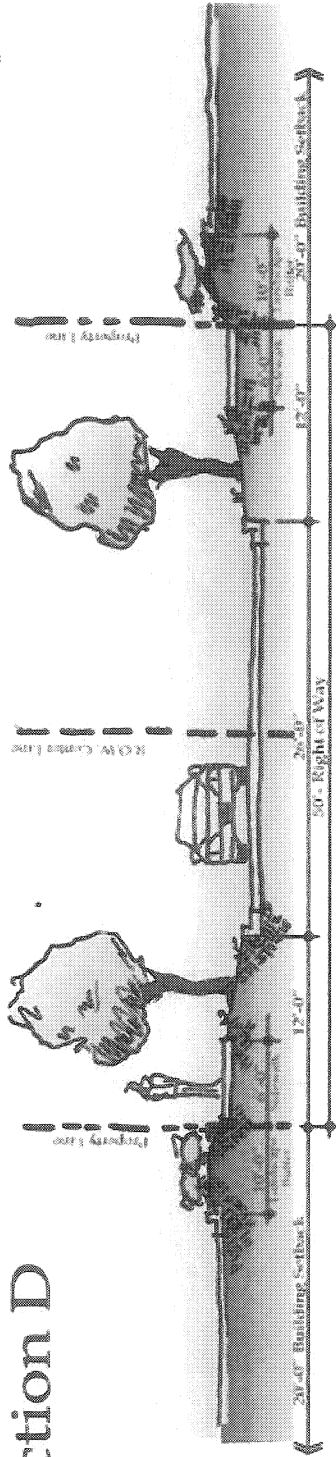
## Section B



## Section C



## Section D





### •Building Context and Style

Building design should reflect progressive modern architecture using flowing lines and sweeping glass facades coupled with natural colors and forms such as regionally quarried stone facing on building exteriors. Continuity among all the materials is crucial to the development's overall vision. It is important that building design takes into account that all sides are to be considered public realm.

Although new buildings may be designed in a variety of styles, they should draw upon the design features found in the icon structures within the development.

### •Building Setback

Lots require a 20'-0" building setback from the front R.O.W. line. Lots abutting the frontage road of I-35 require a 25' building setback from the east property line. These locations are illustrated on the Thoroughfare and Setback Plan on page 4. The side yard of all lots shall have a 6' landscaping buffer on each side of the lot line.

### •Building Height

Building height limits are set forth below. Limitations have been placed on building heights so as to maintain clear view corridors to the Norman Regional Hospital. Final building height includes roof top mechanical screening except as otherwise provided below under Mechanical and Electrical Screening. All buildings are to adhere to local codes as well as Design Guidelines unless an exception is approved by the City of Norman and by the Medical Park West Development Advisory Panel.

Medical Buildings:	.....5 Levels- 64' maximum
Hotels:	.....7 Levels- 70' maximum
Office Structures:	.....5 Levels- 60' maximum
Phase III- Norman Regional Hospital.....	9 Levels- 145' maximum
Franchise Buildings:	.....1 Level- 30' maximum (with approved partial mezzanine)
Day-care Facility:	.....2 Levels- 27' maximum
Parking Structure:	.....5 levels- 60' maximum

**•Roof Lines**

Flat roofs are the most common form in the existing developments roof forms. New buildings should use flat roofs, although gable and hip roofs are permitted.

- Permitted Materials:
- Light colored EDPM
- Extensive Green Roof System
- Intensive Green Roof System
- Standing Seam Metal Roof

**•Mechanical And Electrical Equipment Screening**

All mechanical and electrical equipment shall be screened from street frontage view with materials that are architecturally compatible with the primary building facades. Screening provided by the roof structure or by other architectural elements is preferred.

Rooftop equipment may also be screened by a smaller accent roof or enclosure. If this structure is set back from the primary facade a distance equal to its height, this structure may exceed the building height limit. See Building Materials page 8 for acceptable screening materials.

All on site transformer screens must comply with the Accessory Buildings section on page 9.

**•Building Entries**

The main entrance shall always face the primary street or street corner with secondary entrances to the side or rear. The main entrance shall provide a clear entrance point to the facility.

The main entrance of commercial, office, and mixed-use facilities shall be placed at parking grade.

### •Building Materials

Buildings shall be constructed of authentic, long-lasting materials such as textured concrete, wood or steel and clad in brick, stone, architectural metal rain-screen, and architectural panels. Accent materials may include architectural metal trim and panels, glass block, pre-cast concrete, split-face or fractured concrete block, or similar decorative or unique materials. A minimum of 80% of the building facade shall consist of those masonry finishes authorized by City ordinances. All buildings shall have "Four-sided Architecture".

Continuity among all the materials is crucial to the overall vision for Medical Park West. Listed below are acceptable materials that have already been used within the development:

- Truestone color Palamino Gold Stone Veneer
- Oklahoma Rusty Blue Stone
- Cherokee Gold Flagstone
- Summit Brick colors alaskan, thistledown, fawn
- Clear, Grey and Blue vision glass.
- Clear Anodized Window and curtain wall framing
- ACME Custom Blend Brick

Other building materials may be considered as part of the review process; however, building materials that will not be acceptable for exterior use are as follows:

- EFIS/ Stucco
- Vinyl Siding
- Aluminum Siding
- Composite Board Siding

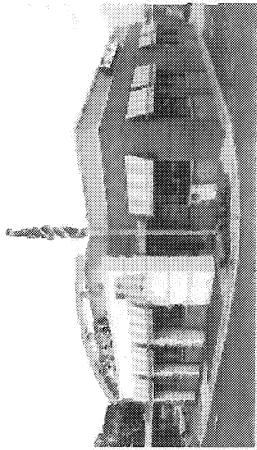
### •Architectural Detailing

Architectural detailing is encouraged to enliven building facades and to establish a human-scaled, supportive environment.

Architectural design shall be sensitive to the massing and proportion of adjacent structures and reflect or compliment the detailing of surrounding buildings, such as lintels, cornice lines, balconies and decorative brick or stone work.

#### • Franchise Architecture

Franchise architecture (building design that is trademarked or identified with a particular chain or corporation and would be considered their "standard prototype") is prohibited. Franchises or national chains must follow these guidelines to create a unique building that is supportive of the overall context being established at the Medical Park West.



*Typical Franchise Architecture - Not acceptable*



*Contextually relevant architecture - Acceptable franchise architecture*

#### • Accessory Buildings

The maximum allowable height of any accessory building shall be 16 feet in height.

The design of an Accessory Building shall be in character with the principal building and constructed of the same quality permanent materials as the principal building. All sides of the structure shall be approved masonry. The Accessory Building shall be located on owner's lot(s) and within close proximity to the principal structure. Where such buildings exceed 200 square feet in area, at least 1/3 of the building's exterior perimeter shall be landscaped with ornamental trees and shrubs. The overall design of any accessory building shall be reviewed with the remainder of the built construction by the Medical Park West Development Advisory Panel.

#### • Trash Enclosures

Outdoor placement of freestanding dumpsters or refuse containers is prohibited. Refuse should be securely stored and enclosed, and contained and disposed of in accordance with applicable State, County and City Health, Safety and Environmental Codes. Use of sealed compactors is encouraged. Where food service/restaurant kitchen refuse storage is not accommodated as part of the principal building, refuse storage is permissible in a dumpster inside a Trash Enclosure.

All solid waste trash must be deposited in approved refuse containers inside a Trash Enclosure. Adjoining lots are allowed to share a Trash Enclosure as long as it is adequately sized for all parties needs. This partnership shall be reviewed by the Medical Park West Development Advisory Panel, and must be approved by the City. The design of the Trash Enclosure shall be in character with the principal building, and constructed of the same quality permanent materials as the principal building. Three sides of the Trash Enclosure shall be approved masonry and the fourth side a gate. The Trash Enclosure shall have a gate made of a permanent material that is resistant to wear and tear, and able to be latched in a closed position.

•**Parking Structures**

Parking decks and ramps shall be designed to be compatible with and similar to other adjacent buildings.

- The design of all floors shall ensure that sloped floors do not dominate the appearance of the facade.
- Windows or openings shall be provided that mirror those of nearby buildings.

**•Sidewalks and Walkways**

Pedestrian accessibility and continuity shall be provided throughout the area by individual lot owners as a condition of a building permit.

Continuous sidewalks 6 feet wide shall be installed along all public street frontages. A 10' wide sidewalk shall be installed along 36th Street. Review the illustrations in Section III Street Plans and Sections.

Clearly defined and lighted pedestrian walkways shall extend between parking areas and all building entrances. All parcels site plan submittals shall include the proposed sidewalk layouts.

**•Sidewalk Landscaping**

Street trees shall be planted within a landscaped parkway according to City standards. Shade trees shall be placed between 20 and 40 feet apart. Review existing landscaping for continuity.

Street trees planted within the sidewalk area shall be planted using the latest, most advanced horticultural techniques such as "CU Structural Soil," drip irrigation, etc. In addition to the trees in this area, the grass shall be maintained using irrigation. The installation and maintenance of the area between the sidewalk and curb is the responsibility of the lot owner. Where present, all front yard areas shall be landscaped with trees, shrubs, ground cover, and turf grass. Plant material in front of parking lots and building entries shall not exceed 3 feet in height at maturity, except for required trees.

**•Accessibility and Curb Ramps**

All sidewalks and walkways shall meet the Americans with Disabilities Act (ADA) standards for accessibility.

Where curb ramps are provided, they shall comply with City standards and shall direct pedestrian flow in a continuous manner.

**•Surface Parking Lots**

At a minimum, surface lots shall be paved with asphaltic concrete over a compacted aggregate base with edges and planting islands defined by concrete curb and gutter and parking spaces defined with painted striping. Parking on gravel, dirt or unreinforced turf is prohibited. The use of pervious concrete pavement is encouraged.

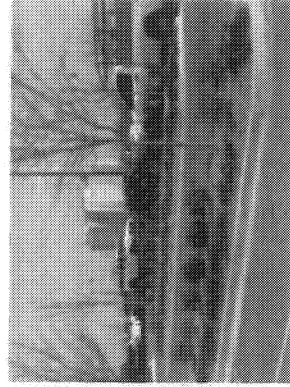
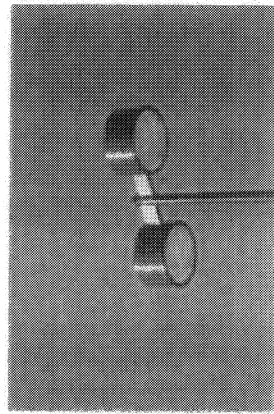
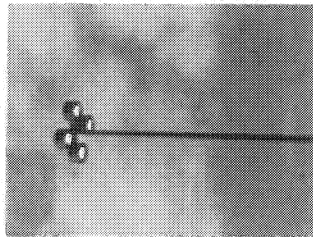
When parking or parking access must be located in the front yard, a landscaped buffer shall be provided. See Parking Lot Landscaping, page 24



### • Parking Lot Lighting

All surface parking lots shall provide a generally even illumination pattern with an illumination of one to five foot candles, averaging 3 foot candles. Illumination shall be accomplished with a combination of commercial grade parking lot and pedestrian style fixtures. Pedestrian fixtures shall be used for lighting internal parking lot walkways while parking lot fixtures shall be employed to illuminate parking bays and drive aisles.

The commercial grade parking lot fixtures shall be comprised of circular full cutoff "hat-box" or "hockey puck" style luminaries in either single or double sets. Light fixtures are to be shielded to minimize light trespassing. Fixtures are to be attached to 20 foot tall, tapered metal poles by horizontal arms. Fixtures shall utilize metal halide lamps. New light poles and light are to be black in color. New light poles located within parking bays shall be mounted on 2 foot high stone patterned, integrally colored concrete bases.



Examples of well landscaped parking areas.

### • Parking Lot Landscaping

A landscaped buffer strip at least 10 feet wide shall be provided between all surface parking areas and the sidewalk or street unless reduced below 10 feet wide on a Final Site Plan which obtains City Council approval. The buffer strip shall consist of low shrubs and/or perennial flowers (3 feet in height max.), plus required trees. Landscaped earth berms are not permitted and shall not substitute for the landscape screening described above. Use of bio filtration methods of landscape and drainage design are encouraged.

A landscape buffer at least 6 feet wide shall be provided along the rear and sides of all surface parking lots. This area shall be planted with shade trees, coniferous trees, and a continuous 3 foot tall shrub border or hedge of deciduous and/or evergreen shrubs.

Parking bays in excess of 11 spaces in length shall be divided by intermediate landscaped islands at intervals of 11 spaces.

For single parking bays, landscaped islands shall provide at least one parking space of landscape area (9 x 19 feet) and shall be planted with low shrubs, perennial flowers and/or ground cover/ornamental grasses (3 feet in height max.), plus one required tree.

For double parking bays, both the end landscaped islands and the intermediate landscaped islands shall provide a double parking space for landscape area (9 x 38 feet) and shall be planted with low shrubs, perennial flowers and/or ground cover/ornamental grasses (3 feet in height max.), plus two required trees.

All new parking lot landscaping shall comply with City standards, be mulched to a depth of 4 inches with a high quality, hardwood mulch and shall be watered by an automatic underground irrigation system.

### •Signage\*

Building signage shall be architecturally compatible with the style, composition, materials, colors, and details of the building. All signs and business identification shall be an integral part of the building and site design. Sign location, construction, and design will be reviewed at the same time as the building design review. All materials used in the sign design will be required at this time.

A comprehensive sign program shall be developed for buildings which house more than one business. Signs shall be compatible with one another. No more than two types of signs shall be used on a single building facade (i.e. wall signs, projecting signs, awning signs).

**Sign Location:** Wall signs on commercial or mixed-use storefront-type buildings shall be placed within a "sign band" immediately above the storefront display windows or entryway. Wall signs on other building types shall be placed where they do not obscure architectural features.

**Sign Materials:** Sign materials shall be consistent or compatible with the construction materials and architectural style of the building facade on which they are to be displayed. Neon signs are not permissible.

**Sign Illumination:** Both internal and external illumination of signs, except for awnings, is permissible.

**Building Address:** Building address must be displayed clearly on stone or metal surfaces.

The following sign types are permissible:

The following sign types are prohibited:

Pole or pylon signs  
Billboards  
Internally illuminated awnings  
Flashing and rotating signs  
Portable or moveable signs, including vehicles used as signage  
Search lights  
Roof signs  
Window signs

Non-illuminated awning signs

Canopy signs

Wall signs

Projecting signs

Freestanding ground/monument signs, max. height 10'-0"

Audible or musical signs

Balloons or Streamers

Stake signs and other temporary advertising/signage

**Projecting signs:**

Maximum dimensions for projecting signs: 9 square feet, with a clearance of at least 8 feet from ground level, projecting no more than 3 feet from the side of the building. Maximum: 1 per business.

**Directional Signs:**

Directional signs shall be limited to 6 square feet per sign. The number and location shall be subject to the overall review and approval of a comprehensive sign program.

\* All sign construction must also meet all criteria of the Norman Sign Ordinance.



**•Outdoor Storage**

Seasonal equipment, supplies, etc. shall be either stored within each facility or within a permanent accessory structure. See Accessory Buildings.

**•Outdoor Audio**

Use of speakers, bullhorns, or other amplification devices which produce music, announcements, or other sounds or vibrations audible at the property line at sound levels greater than that typically generated by traffic on adjacent streets shall not be permitted, except during special events with such permits and approvals as may be required by the City, and then subject to the City's regulations for special events. This provision shall not preclude use of outdoor speakers by restaurants to provide piped background music to outdoor dining areas at levels conducive to normal conversation by diners to facilitate drive-through ordering or notification of customers regarding seating availability, provided such speakers are operated at no greater volume than reasonably necessary to be heard in the immediate vicinity of the customer's vehicle or waiting area.

**•Vending Machines**

Outdoor placement of vending machines including but not limited to, beverages, newspaper dispensers/ video, and snacks is prohibited. All vending type machines shall be located indoors

**•Holiday/Event Decorations**

Holiday, special occasion, and auxiliary decorations will be limited. The standard of which will be created at a later date by a committee comprised of land owners and business owners.

## • Recommended Plant List

### TREES

- 1 Shumard Oak.....zquercus shumardii
- 2 'Alta' Magnolia.....magnolia grandiflora
- 3 Golden Raintree.....koelreuteria paniculata
- 4 Allee Elm.....ulmus parvifolia
- 5 Red Cedar.....juniperus virginiana
- 6 Chinese Pistache.....pistachia chinenses
- 7 Urbanite Ash.....fraxinus americana 'urbanite'
- 8 Autumn Blaze Maple.....acer Rubrum Autumn blaze
- 9 October Glory Maple.....acer rubrum october glory
- 10 Cleveland Select Flowering Pear.....ppyrus calleryana 'cleveland select'
- 11 Bald Cypress.....taxodium distichum
- 12 Weeping Willow.....salix baby/lonica
- 13 Mexican Plum.....prunus mexicana
- 14 Redbud.....cercis reniformis 'oklahoma'
- 15 Tree Yaupon.....llex vomitoria
- 16 Drake Elm.....ulmus parvifolia

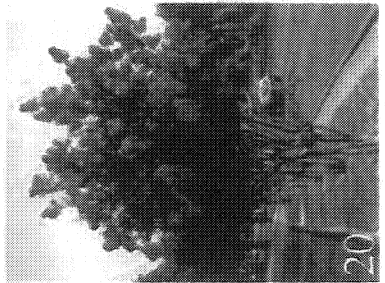
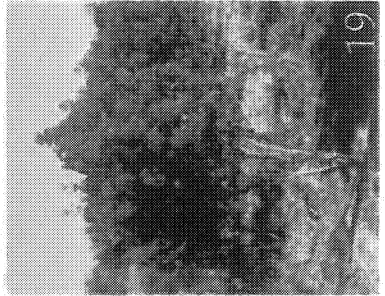
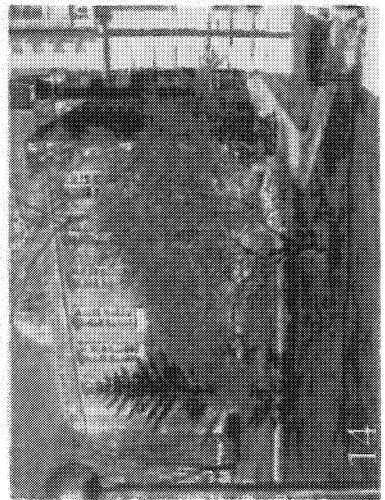
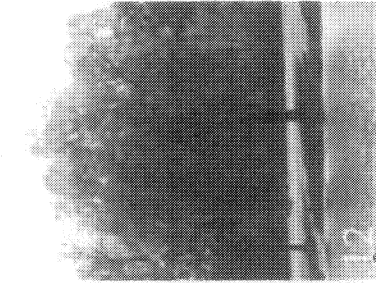
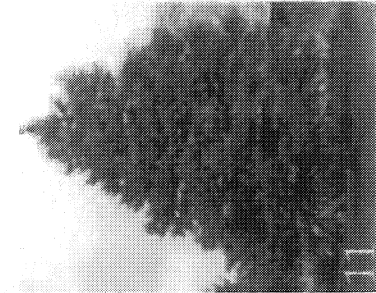
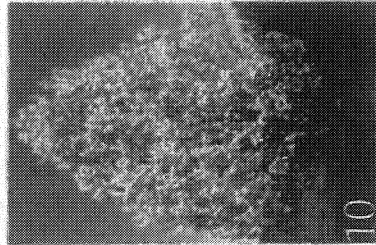
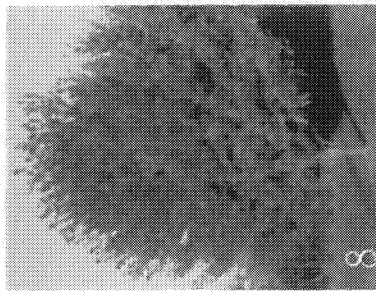
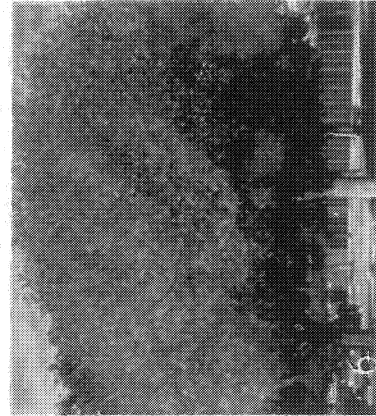
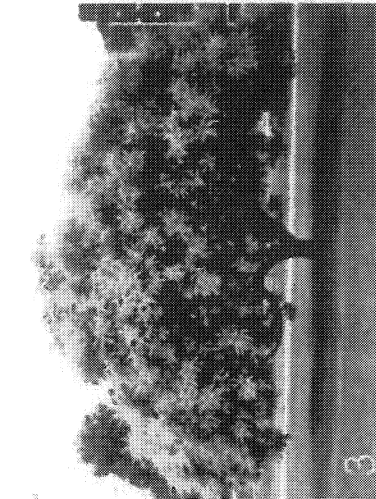
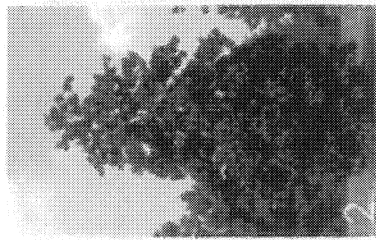
### SHRUBS

- 17 Glendora White' Grape Myrtle.....lagerstroemia indica 'glendora white'
- 18 Choctaw' Grape Myrtle.....lagerstroemia indica x favorl 'choctaw'
- 19 'Dynamite' Grape Myrtle.....Lagerstroemia indica 'dynamite'
- 20 'Tuskarora' Grape Myrtle.....lagerstroemia indica 'tuskarora'
- 21 'Red Rocket' Grape Myrtle.....lagerstroemia indica 'whit IV'
- 23 Carissa Holly.....llex cornuta 'carissa'
- 24 'Endless Summer' Hydrangea.....hydrangea macrophylla 'bailmer'
- 25 Liberty Holly.....llex x 'liberty'
- 26 Dwarf Burford Holly.....llex cornuta 'burfordii nana'
- 27 not used
- 28 'Harbour Dwarf' Nandina.....nandina domestica 'harbour dwarf'
- 29 'Nellie R. Stevens' Holly.....llex x 'nellie r. stevens'
- 30 'Golddust' Aucuba.....aucuba japonca 'variegata'
- 31 not used
- 32 'Double Knockout' Rose.....rosa 'double knockout'
- 33 'Blushing Knockout' Rose.....rosa 'radyold'
- 34 'Nearly Wild' rose rosa 'nearly wild'

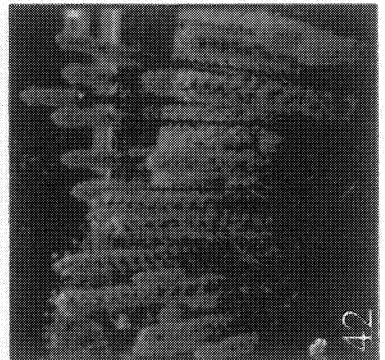
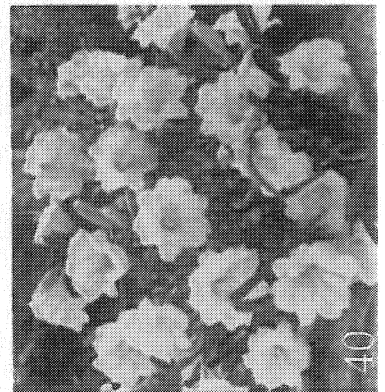
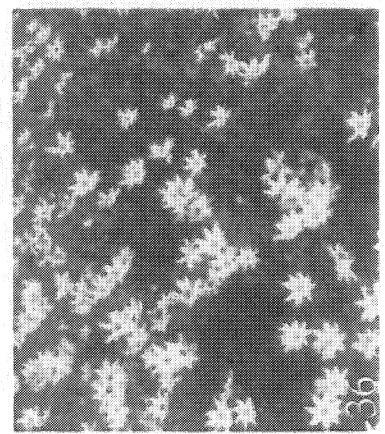
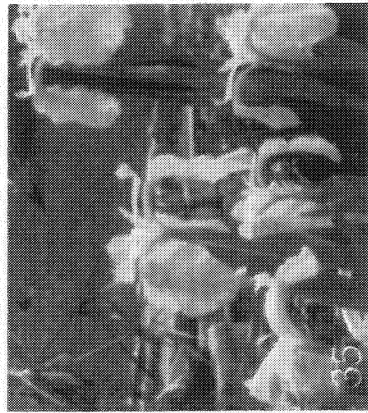
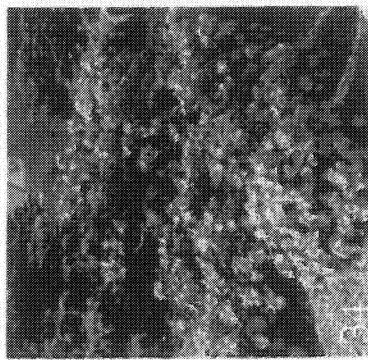
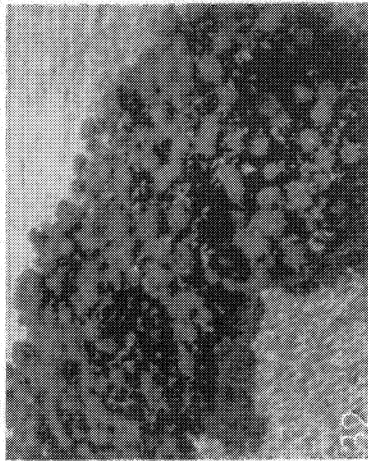
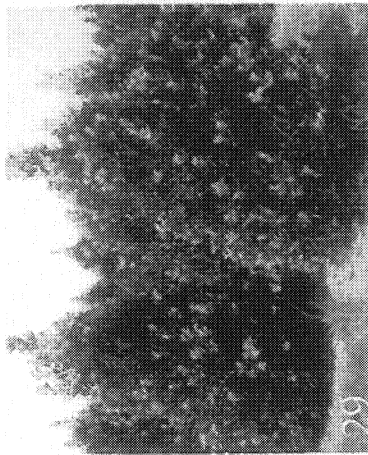
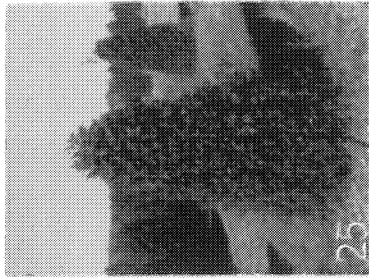
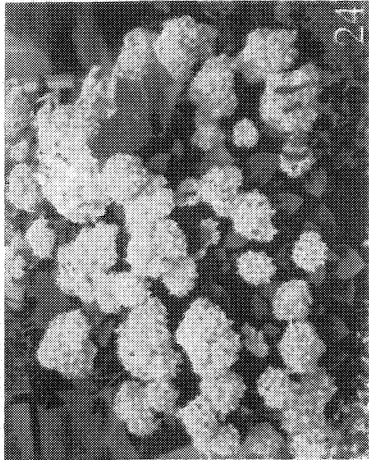
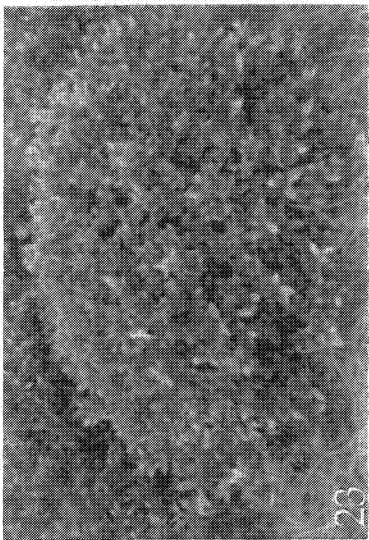
### PERENNIALS/ANNUALS

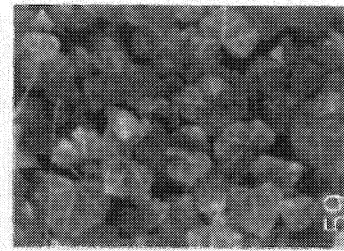
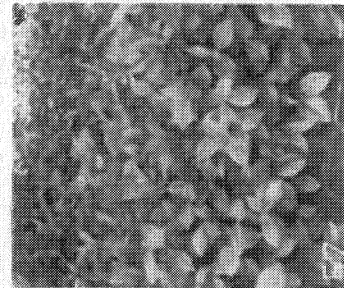
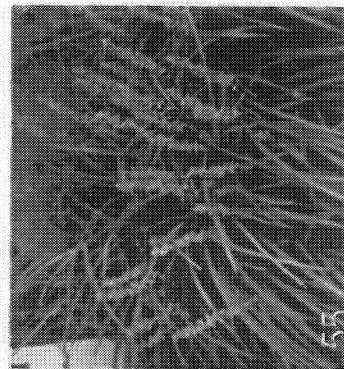
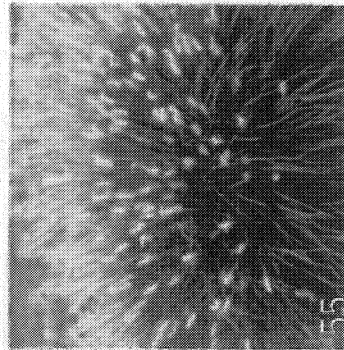
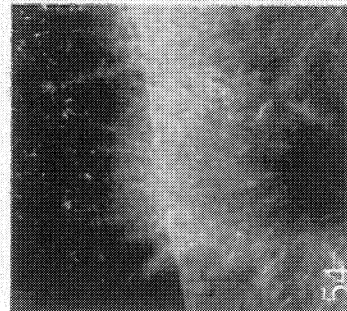
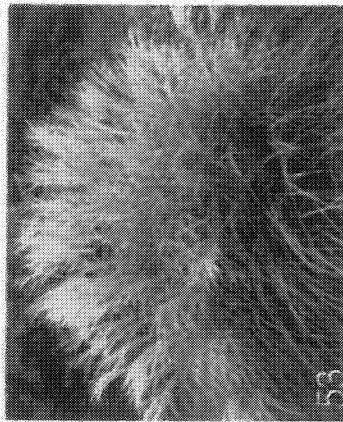
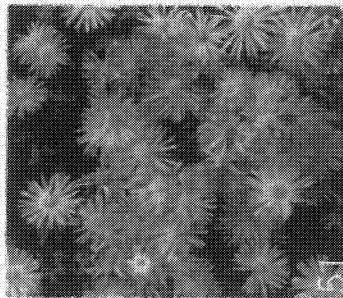
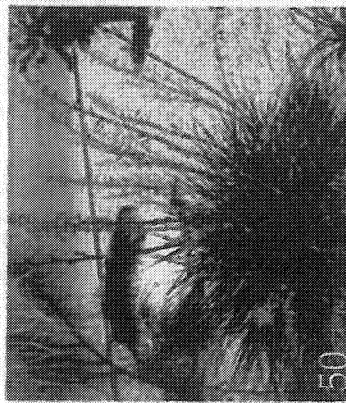
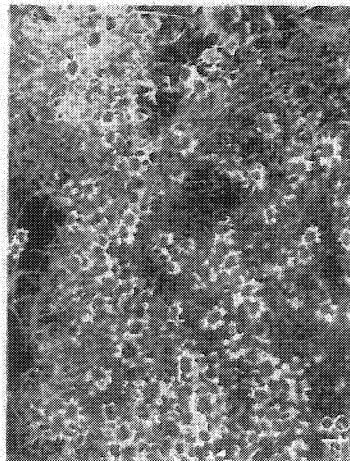
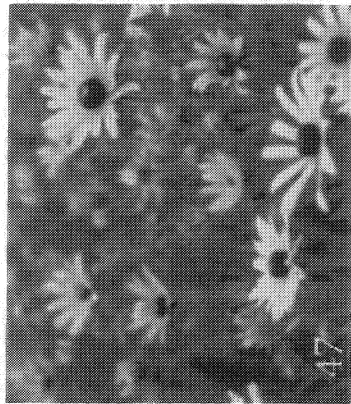
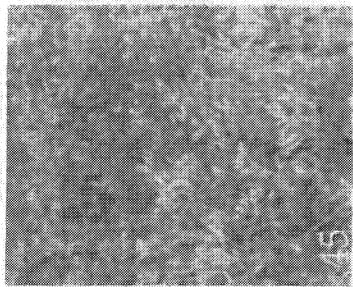
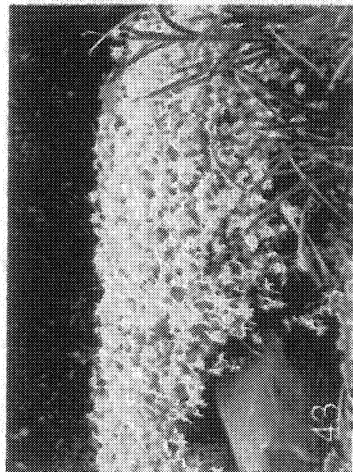
- 35 Yellow Iris.....iris sp.
  - 36 'Moonbeam' Coreopsis.....coreopsis verticillata 'moonbeam'
  - 37 Shasta Daisy.....chrysanthamum superbum
  - 38 'Chicago Orchid' Daylily.....hemerocallis 'chicago orchid'
  - 39 'Chicago Apache' Daylily.....hemerocallis 'chicago apache'
  - 40 'stella de' orro' daylily.....hemerocallis 'stella de oro'
  - 41 'Peggys Strawberry Surprise'.....hemerocallis 'Peggy's Strawberry Surprise'
  - 42 Kobold Gayfeather.....liatris spicata 'kobold'
  - 43 White Creeping Phlox.....phlox subulata 'white phlox'
  - 44 Pink Creeping Phlox.....phlox subulata 'pink phlox'
  - 45 Red Autumn Sage.....salvia greggi
  - 46 'Magnus' Coneflower.....echinacea x 'sunset'
  - 47 Black Eyed Susan.....rudbeckia hirta
  - 48 Sweet Dreams Coreopsis.....coreopsis rosea 'sweet dreams'
  - 49 Limerock Ruby Coreopsis.....coreopsis 'limerock ruby'
  - 50 Red Yucca.....hesperaloe parvifolia
  - 51 Autumn Aster.....aster frikartii
  - 52 Dixie Wood Fern.....dryopteris x australis
- GRASSES**
- 53 'Miscanthus 'Adagio'.....miscanthus sinensis 'adagio'
  - 54 Purple Muhly Grass.....muhlenbergia fillipes
  - 55 Dwf. Fountain Grass 'Little Bunny'.....pennisetum alopecuroids 'Little Bunny'
- GROUND COVERS/ VINES**
- 56 Liriope 'Big Blue'.....liriope muscari 'big blue'
  - 57 Purple Wintercreeper.....euonymus fortunei 'colorata'
  - 58 'Lady Banks' Rose.....rosa 'lady banks'
  - 59 English Ivy.....hedera helix

**Note: Not all plants identified on this sheet are illustrated on pages 16-18.**



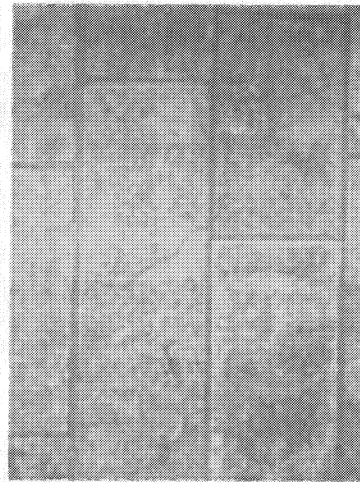
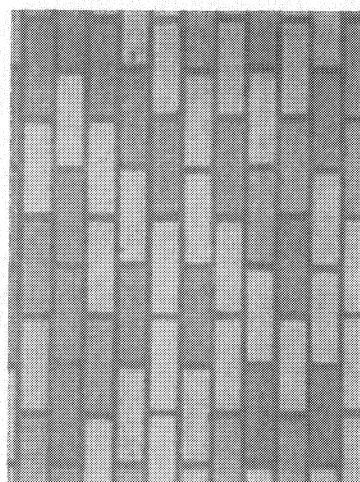
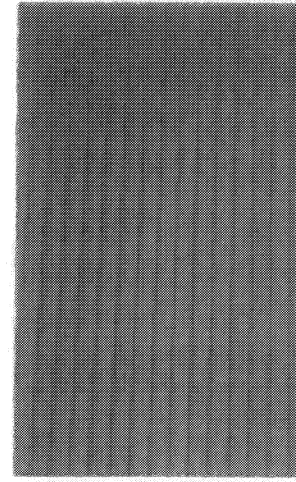
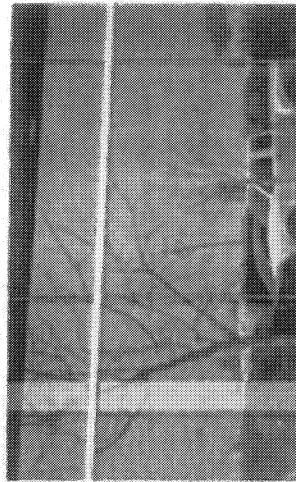
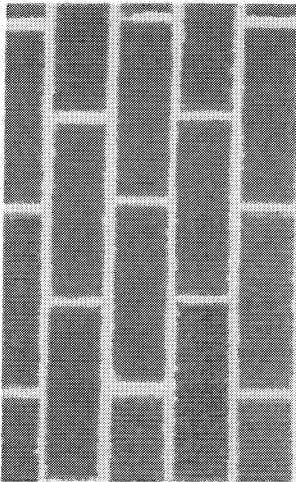




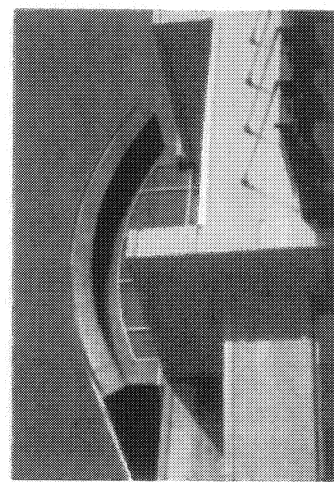
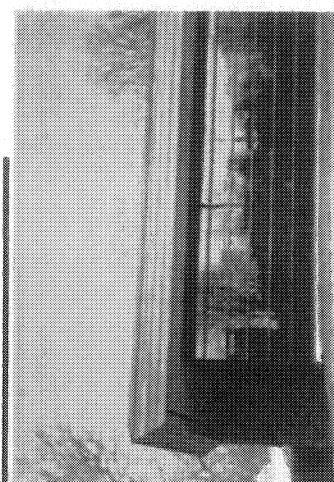
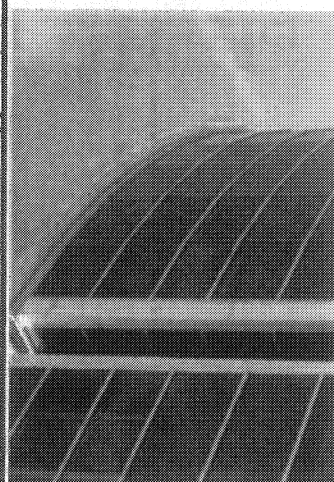




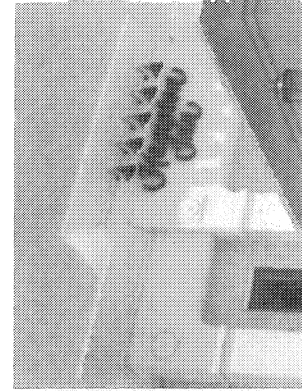
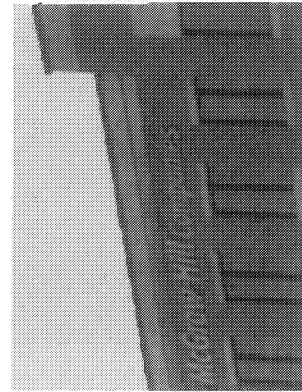
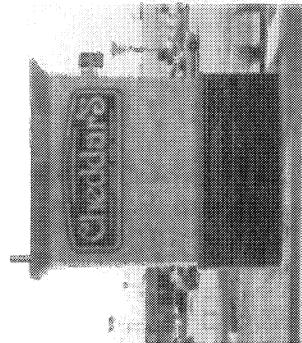
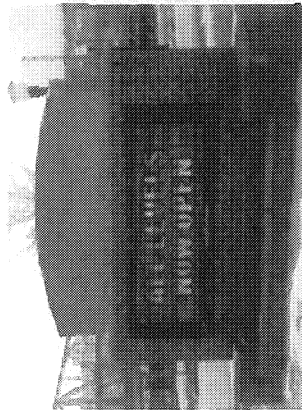
Acceptable Materials and Colors



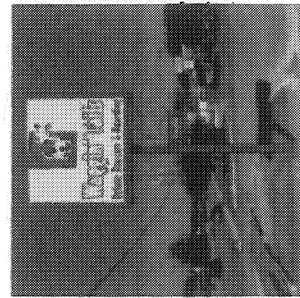
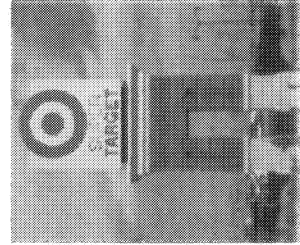
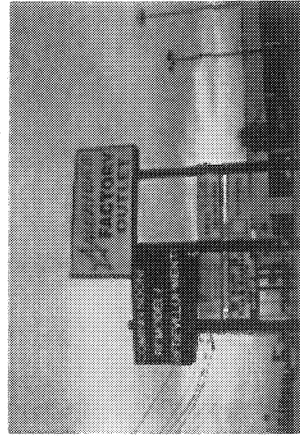
Acceptable Building Ornament & Details



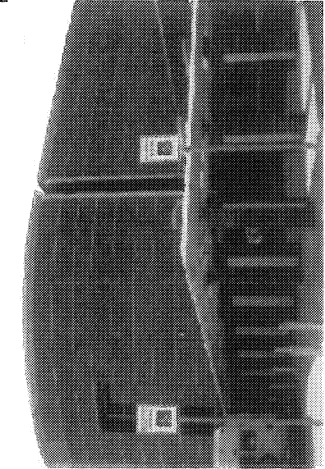
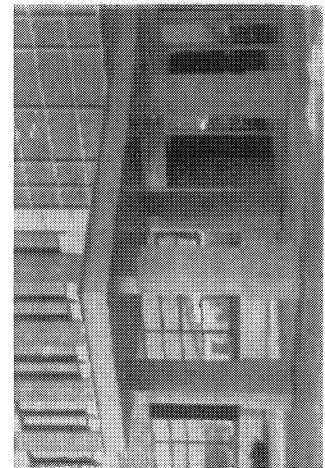
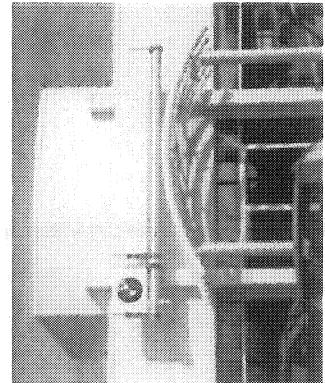
Examples of Acceptable Signs



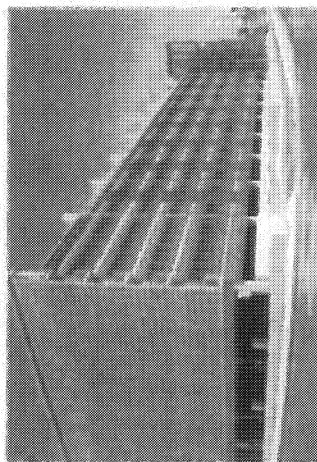
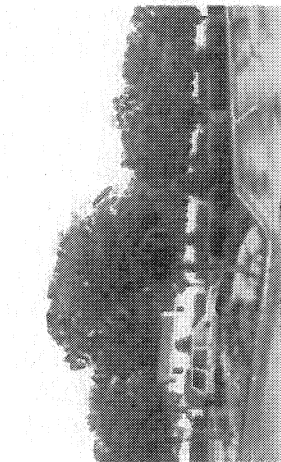
Examples of Unacceptable Signs



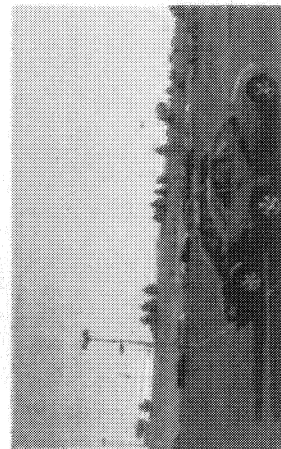
Examples of Acceptable Entries and Windows



Acceptable Parking

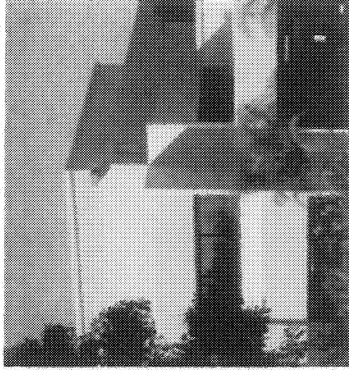
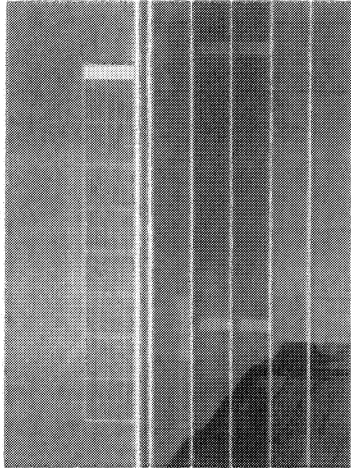
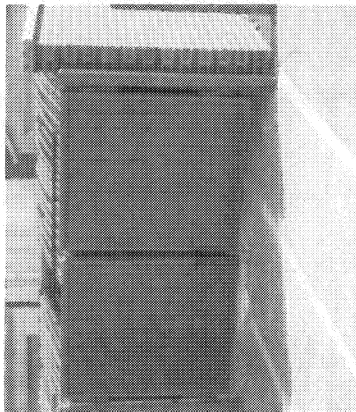


Unacceptable Parking





Examples of Acceptable Site Screening



## Medical Park West Design Guidelines (Changes to original document)

### Page 1 Applicability and Amendment:

These Guidelines may be amended and supplemented from time to time by the reviewer designated in the Charter, except that no amendment shall be inconsistent with the reduce or eliminate any design standards set forth in these Guidelines, the NRH Medical Park West PUD Development Plan narrative as approved by the City of Norman, or City of Norman ordinances unless such amendment is first approved by the City of Norman, Department of Planning and Community Development.

Where City of Norman approval is required hereunder, such approval may be granted by the City's Planning Director so long as the amendment is not materially inconsistent with the requirements and standards established by the City of Norman ordinances or the NRH Medical Park West PUD Development Plan narrative as approved by the City of Norman; otherwise, such amendment shall require the approval of the City Council. For purposes of this paragraph, an amendment shall be considered "materially inconsistent" and require City Council approval if it eliminates or reduces a requirement or the NRH Medical Park West PUD Development Plan narrative as approved by the City of Norman, or if it modifies any such requirement or standard which is measurable (e.g., building heights, setbacks, etc.) by 15% or more. The City shall have no responsibility to enforce any design standards unless and until approved by the City in accordance with this paragraph.

### DELETED PHASING PLAN PAGE AND AREA REGULATION PLAN PAGE

### Page 6 Building Height:

#### • Building Height

Building height limits are set forth below. Limitations have been placed on building heights so as to maintain clear view corridors to the Norman Regional Hospital. Final building height includes roof top mechanical screening except as otherwise provided below under Mechanical and Electrical Screening. All buildings are to adhere to local codes as well as Design Guidelines unless an ~~variance exception~~ is approved by the ~~city~~ City of Norman and by the Medical Park West Development Advisory Panel.

Medical Buildings:	5 Levels- 64' maximum
Hotels:	7 Levels- 70' maximum
Office Structures:	5 Levels- 60' maximum
Phase III- Norman Regional Hospital:	9 Levels- 145' maximum
Franchise Buildings:	1 Level- 30' maximum (with approved partial mezzanine)
Day-care Facility:	2 Levels- 27' maximum

### Page 8 Building Materials:

#### • Building Materials

Buildings shall be constructed of authentic, long-lasting materials such as textured concrete, wood or steel and clad in brick, stone, architectural metal rain-screen, and architectural panels. Accent materials may include architectural metal trim and panels, glass block, pre-cast concrete, split-face or fractured concrete block, or similar decorative or unique materials. A minimum of 80% of the building facade shall consist of those masonry finishes authorized by City ordinances. All buildings shall have "Four-sided Architecture".

Continuity among all the materials is crucial to the overall vision for Medical Park West. Listed below are acceptable materials that have already been used within the development:

- Truestone color Palamino Gold Stone Veneer
- Oklahoma Rusty Blue Stone
- Cherokee Gold Flagstone
- Summit Brick colors ~~glaskan~~, thistledown, fawn
- Clear, Grey and Blue vision glass.
- Clear Anodized Window and curtain wall framing
- ACME Custom Blend Brick

Other building materials may be considered as part of the review process; however, building materials that will not be acceptable for exterior use are as follows:

- EIFS/ Stucco
- Vinyl Siding
- Aluminum Siding
- Wood/Composite Board Siding

## Page 11 Sidewalk Landscaping

### • Sidewalk Landscaping

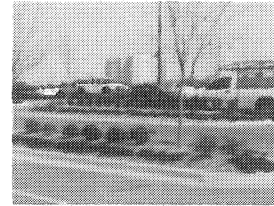
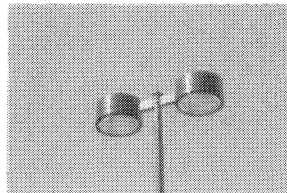
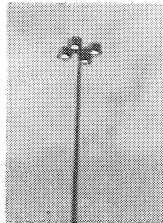
Street trees shall be planted within a landscaped parkway according to City standards. Shade trees shall be placed between 20 and 40 feet apart. Review existing landscaping for continuity.

Street trees planted within the sidewalk area shall be planted using the latest, most advanced horticultural techniques such as "CU Structural Soil," drip irrigation, etc. In addition to the trees in this area, the grass shall be maintained using irrigation. The installation and maintenance of the area between the sidewalk and ~~R.O.W. curb-line~~ is the responsibility of the lot owner. Where present, all front yard areas shall be landscaped with trees, shrubs, ground cover, and turf grass. Plant material in front of parking lots and building entries shall not exceed 3 feet in height at maturity, except for required trees.

## Page 12 Parking Lot Lighting and Parking Lot Landscaping

All surface parking lots shall provide a generally even illumination pattern with an average illumination of one to five foot candles, averaging 3 foot candles. Illumination shall be accomplished with a combination of commercial grade parking lot and pedestrian style fixtures. Pedestrian fixtures shall be used for lighting internal parking lot walkways while parking lot fixtures shall be employed to illuminate parking bays and drive aisles.

The commercial grade parking lot fixtures shall be comprised of circular full cutoff "hat-box" or "hockey puck" style luminaires in either single or double sets. Light fixtures are to be shielded to minimize light trespassing. Fixtures are to be attached to 20 foot tall, tapered metal poles by horizontal arms. Fixtures shall utilize metal halide lamps. New light poles and light are to be black in color. New light poles located within parking bays shall be mounted on 2 foot high stone patterned, integrally colored concrete bases.



### • Parking Lot Landscaping

Examples of well landscaped parking areas.

A landscaped buffer strip at least 6-10 feet wide shall be provided between all surface parking areas and the sidewalk or street unless reduced below 10 feet wide on a Final Site Plan which obtains City Council approval. The buffer strip shall consist of low shrubs and/or perennial flowers (3 feet in height max.), plus required trees. Landscaped earth berms are not permitted and shall not substitute for the landscape screening described above. ~~Use of bio filtration methods of landscape and drainage design are encouraged.~~

In addition, the phrase "...and a decorative metal fence no more than 4 feet high supported between decorative masonry columns." As shown below.

~~A landscaped buffer strip at least 6 feet wide shall be provided between all surface parking areas and the sidewalk or street. The buffer strip shall consist of low shrubs and/or perennial flowers (3 feet in height max.), plus required trees and a decorative metal fence no more than 4 feet high supported between decorative masonry columns. Landscaped earth berms are not permitted and shall not substitute for the landscape screening described above. Use of bio filtration methods of landscape and drainage design are encouraged.~~

## Page 14 Outdoor Audio

### • Outdoor Audio

~~Music, public address announcements, and other forms of outdoor audio are not permitted. Outdoor music or other forms of outdoor audio associated with special events shall be controlled by the City's regulations for special events. Use of speakers, bullhorns, or other amplification devices which produce music, announcements, or other sounds or vibrations audible at the property line at sound levels greater than that typically generated by traffic on adjacent streets shall not be permitted, except during special events with such permits and approvals as may be required by the City, and then subject to the City's regulations for special events. This provision shall not preclude use of outdoor speakers by restaurants to provide piped background music to outdoor dining areas at levels conducive to normal conversation by diners to facilitate drive-through ordering or notification of customers regarding seating availability, provided such speakers are operated at no greater volume than reasonably necessary to be heard in the immediate vicinity of the customer's vehicle or waiting area.~~

## Page 15 Recommended Plant List

**Note: Not all plants identified on this sheet are illustrated on pages 23-2516-18.**

---

ORDINANCE NO. O-0910-11

ITEM NO. 7

---

**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	Norman Medical Park West, L.L.C.
REQUESTED ACTION	Amendment of the PUD Narrative and Design Guidelines approved with the Planned Unit Development as established by Ordinance No. O-0001-13 and amended by Ordinance Nos. O-0506-43 and O-0809-45
EXISTING ZONING	PUD, Planned Unit Development District
SURROUNDING ZONING	North: PUD East: I-1 South: I-1 West: C-1, RM-2, PUD
LOCATION	Southeast corner of Tecumseh Road and 36 <sup>th</sup> Avenue N.W.
SIZE	94 acres more or less
PURPOSE	Hospital, Commercial, Office development
EXISTING LAND USE	Hospital
SURROUNDING LAND USE	North: Offices, vacant East: Manufacturing South: OG&E facility West: Church, vacant
2025 LAND USE PLAN DESIGNATION	Institutional and Commercial
GROWTH AREA DESIGNATION	Current Urban Service Area

**SYNOPSIS:** In 2000, this PUD was amended to include hospital use after the purchase of a portion of the site. Another amendment occurred in 2006 when the hospital acquired the entire parcel, and industrial uses were eliminated to allow for expanded hospital and office use. The new hospital (now in existence) commenced construction at that time, and the surrounding uses were expected to be commercial or hospital-related. The hospital hired a consultant firm, Lockard Companies, to create a Master Plan for development of the whole site, with specific Design Guidelines that were adopted earlier this year. Unfortunately, several items were inadvertently included in the Design Guidelines that have proved troublesome in some of the earlier sales. This amendment eliminates or clarifies those items.

**ANALYSIS:** In addition to clarifying a few word inaccuracies, three design issues are addressed in this revision.

1. **HEIGHT** The height of all buildings is intended to be lower than the hospital, which is the principal structure in the development. The allowable height that was chosen for general commercial buildings (22 feet) proved too low to accommodate current commercial development, especially when the design guidelines express a clear preference for roof-top mechanical equipment. The revised standard will allow buildings up to thirty feet in height, which will still not hinder views of the hospital.
2. **SCREENING** The current Design Guidelines required a landscape buffer around each parcel, but also included a requirement for a "decorative metal fence." That fence requirement was inadvertently added by the consultant, and was to be applied across the front of all new commercial buildings. The landscaping features remain in place, but this revision deletes the requirement for fences in front of each business. Screening between businesses is not required by city ordinance.
3. **BUFFER STRIP** Norman's zoning ordinance requires a ten foot wide landscaping strip as a buffer for any parking in front of any commercial business. Most of the drawings and language in the Design Guidelines reflected that requirement, but there were instances where a six foot buffer was allowed. The revision indicates that the standard is ten feet, but allows the applicant to ask for a reduction to six feet when a Final Site Development Plan is submitted which justifies the exception.

**STAFF RECOMMENDATION:** These revisions are relatively minor, and simply address issues that arose from inquiries by potential commercial entities. Making the revisions now will expedite the sale of some of the lots, and will allow the entire development to proceed under the same restrictions. The revisions do not adversely impact any nearby property owners, and simply clarify some "errors and omissions" that were inadvertently included. Staff recommends approval of the revised Design Guidelines.

Item No. 7, being:

**ORDINANCE NO. O-0910-11 - NORMAN MEDICAL PARK WEST, L.L.C., REQUESTS AMENDMENT OF A PUD, PLANNED UNIT DEVELOPMENT (O-0809-45) TO AMEND THE PUD NARRATIVE AND DESIGN GUIDELINES.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Annotated PUD Narrative
4. Revised Design Guidelines

**PRESENTATION BY THE APPLICANT:**

1. Harold Heiple, representing the applicant – When a PUD is submitted to the City, one item submitted is a PUD Narrative, which describes what the project is going to be, and another is restrictive covenants. In the case of the hospital, the restrictive covenants were submitted as very extensive Design Guidelines. In all of my experience, I've never seen a set so comprehensive and so broad as the ones that were submitted. The Narrative and the Design Guidelines were previously approved. It developed that there was an item in the Design Guidelines which required perimeter fences on all of the lots, which never should have been there in the first place. We thought that could be removed administratively, but it was determined that it had to go through the Planning Commission and back to City Council. The Planning Director, very wisely, suggested that we look and see if there are other things that also need to be changed. Revised Design Guidelines were submitted by the hospital, along with a revised PUD Narrative. The staff report says that the very minor technical housekeeping items have been changed to the satisfaction of staff. The Planning Director has recommended some additional changes to the PUD Narrative, which have been distributed this evening. These are routine language changes that the Planning Director suggests would be more effective; the applicant has no problem with them. There are no substantive changes.

2. Zev Trachtenberg asked what the difference is between the charter and the design guidelines. Susan Connors explained that the most substantive change that staff is recommending in the PUD Narrative is to clarify, on page 2. The Charter is basically covenants which will be administered privately by the property owner, whereas the Design Guidelines are a regulation that the City has adopted and the City will be enforcing. The PUD Narrative, the Design Guidelines, and the PUD Master Plan will be what the City uses to enforce. Harold Heiple added that the covenants will be broader and go into areas outside of pure design; they are designed to try and embrace the entire governance of the whole complex and the activities among the tenants and owners.

3. Susan Connors noted that on the Design Guidelines the substantive change on the first page, under Applicability and Amendment, where the City Planning Director will have additional authority to administratively approve minor amendments, so that

these won't have to come back frequently to the Planning Commission and City Council.

Chairman Gasaway asked if there were any questions for Mr. Heiple. There being none, he asked if anyone in the audience wished to speak on this item. There being none, he turned the discussion to the Planning Commission.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Andy Sherrer moved to recommend adoption of Ordinance No. O-0910-11 to the City Council.  
Paul Minnis seconded the motion.*

YEAS	Jim Gasaway, Diana Hartley, Tom Knotts, Chris Lewis, Curtis McCarty, Paul Minnis, Roberta Pailes, Andy Sherrer, Zev Trachtenberg
NAYES	None
MEMBERS ABSENT	None

Recording Secretary Roné Tromble announced that the motion to recommend adoption of Ordinance No. O-0910-11 to the City Council was adopted by a vote of 9-0.

\* \* \*

